

**RIVERBEND ON THE WILLAMETTE CONDOMINIUM  
HOMEOWNERS ASSOCIATION  
BOARD MEETING MINUTES  
December 7, 2016**

Location: Lakewood Community Center

Present at the meeting:

1. Board of Directors: Augie Gallego, Charles Collins, Bill Eklund
2. Homeowners: Tony Christler, Mike Jackson, Gary Grandamison, Jim and

Penny Worthum, Henri Smitt, Kak Kelly, Elizabeth and Bill Eklund, Karen Thaxton and Augie Gallego, Vidya Kale, Bob Minshall, Sallie and Mitch Boyce, Charles and Candice Collins, Leonard Springer

3. Guests: Ken Dobson, attorney representing Cohen estate, Scott Cohen
4. Management representatives: David Hummel, Aubrey Bellows

Call to order/Establishment of a quorum: Augie Gallego, Board President, called the meeting to order 4:05 pm. The entire board was present, and owners meeting quorum requirements.

Augie Gallego announced the agenda of the meeting:

Report from Jason Grosz, with update and opportunity for questions from homeowners on matters of the Cohen litigation suit against the HOA, Hoffman Construction and Chris Chilberg

1. Review October 2016 financials (Attachments 1)
2. Discussion and approval of the 2017 budget (Attachment 2)
3. Management report
  1. Snow/ice removal service proposal (Attachment 3)
  2. Asphalt repair proposal (Attachment 4)
  3. Dryer vent cleaning proposal (Attachment 5)
  4. Catch basin cleaning proposal (Attachment 6)
  5. Roof/gutter cleaning proposal (Attachment 7)
  6. Maintenance & Janitorial evaluation (Attachment 8)

Introduction of association attorney - Jason Grosz:

Mr. Grosz provided an update of the Cohen combined law suit, including the HOA, Hoffman Construction, Chris Chilberg and the HOA Board. He explained that the injunctive relief claim was approximately \$182,000 for economic damages and \$175,000 for no-economic damages.

The Cohen estate filed the lawsuit on October 14, 2016. On November 4, the Association's liability insurance carrier accepted defense of the case and hired defense attorney Leta Gorman. It is possible that the Association will initiate a countersuit. Mr. Grosz continues to represent the HOA as general counsel.

An effort at mediation on September 29, 2016, concluded without progress toward any settlements.

All parties attended at mediation on September 29, 2016, which was unsuccessful. Recovery of attorney fees or expert fees would depend on results of trial or settlement discussions.

There was discussion of the persistent open living-room window in the Cohen unit. The window opening has been partially reduced but remains open. Mr. Dobson, the Cohen Trust attorney, stated that it was being left open at the recommendation of their "experts" to enable increased ventilation. HOA members commented that higher levels of moisture outside would contribute to higher humidity inside the unit. Mr. Grosz explained the HOA role and relative insurance coverage issues.

The Board meeting was temporarily adjourned to allow the Board to meet in Executive session for discussion of insurance issues.

The Board reconvened at 5:25 pm

New business

Charles Collins presented the "best practices" resolution proposed to the Board by the Budget and Finance Advisory Committee

Review of October 2016 Financials (Exhibit 1, page 2-6) Discussion and approval of 2017 budget (Exhibit 1, page 7)

There was a general discussion of the 2016 budget and the proposed 2017 budget. Charles Collins stressed the need for stricter control of spending. There was discussion of the current HOA reserves, their depletion due to larger than expected painting costs, unanticipated repair cost, unbudgeted replacement of our damaged security system, etc.

Charles Collins, treasurer, announced that the current plan is to hold dues at their current level, restraints on spending and begin building our reserves. There are no plans to impose an assessment at this time.

Augie Gallego discussed the need for deck repairs and resurfacing, including the plan to due this work in stages. The Board is waiting for a final review, cost projections and report from CERTA (Justin Barnhardt) on the level of priority to be assigned to respective deck repair projects. When these reports have been presented and reviewed by the Board, an agenda for deck repair will be presented to the HOA. (Action item - 3)

Motion to approve 2017 budget

Charles Collins moved to approve of the 2017 budget. Augie Gallego seconded the motion. The board approved the 2017 budget.

### Management Report

David Hummel, our CAP manager, presented the Manager's Report 12-07-2016 (See Exhibit 1)

1. Snow/Ice Services proposal (page 9)
2. Asphalt Repair Proposal (page 10)
3. Dryer Vent Cleaning Proposal (pages 11-16)
4. Catch Basin Cleaning Proposal (pages 17-19)
5. Roof/Gutter cleaning proposal (pages 20-25)
6. Maintenance and Janitorial Evaluation (page 26)

David Hummel led discussion and offered management recommendations pertaining to the various bids for services noted above.

### Action items

The board unanimously approved the following bids:

1. Snow/Ice Services proposal – Dennis's 7 Dees (page 9)
2. Asphalt Repair Proposal – Hal's Construction - (page 10) \$975.
3. Dryer Vent Cleaning Proposal – Better Air Northwest - (pages 11) \$1,600
4. Catch Basin Cleaning Proposal – River City Environmental, Inc - (page 17) \$880
5. Roof/Gutter cleaning proposal - Snugs Services - (page 17) \$2,150

There was a brief discussion of the proposed maintenance and janitorial services offered by CA Partners Management. The board will review additional pending bids and study this proposal and will make a final determination at the next board meeting.

The meeting was adjourned at 7:10 PM.

Prepared and submitted by:

*Bill Eklund*

Bill Eklund, Secretary  
Riverbend on the Willamette Condominium Association