

Bella Beach HOA Newsletter

Spring 2007

Upcoming HOA Meeting

All HOA members are invited to the April 28th annual meeting. The meeting will be held at the Gleneden Beach Community Center and will start promptly at 10am.

The agenda for the meeting includes the Board of Directors election. Two spots are open as the two-year terms for Bob Donaldson and Pam Getty are expiring. We would like to thank Bob and Pam for two years of tireless service to the HOA.

The Board received statements of interest from two candidates by the February deadline. Their statements are included with the ballot on the last pages of this newsletter.

The Board is also looking for volunteers to serve on the Rules and Architectural Review committees. If you are interested, please contact the Board via email (tellyourboard@bellabeach.org) or signup at the HOA meeting.

Emergency Contact Information Reminder

If you haven't done so already, please be sure to send in your Emergency Contact Information form by the May 1st deadline. As of the end of March, we had received forms from about 60% of homeowners. You may mail your form to the HOA or bring it to the April 28th HOA meeting. If you need another copy of the form, it is available on the website at: <http://www.BellaBeach.org/directory/>

Landscaping Committee Report

The winter storms and high winds took its toll on Bella Beach. We lost many trees from both the common areas, and individual homeowners lots. Fortunately, property damage was relatively small. As a result of all of the removed trees, Bella Beach has lost a little of its "wooded" feel. To help restore that feel, the Landscape committee (as well as the HOA landscaper) is encouraging all owners who lost trees to replant trees on a one to one basis. The recommended trees are either shore pines or cedar. Lakeside Gardening is willing to plant trees at a very attractive price for any homeowners who are interested.

The winter storms also caused problems with our landscape lighting. (Bella Beach with its high winds, heavy rains, and salt air is a hostile environment for anything electrical). At various times we lost both the lights going to the beach along Bella Beach Drive, and also Valerie's Green. All of these lights are now operating. If anyone notices any individual lights burned out, please let Al Watkins or anyone on the Landscape Committee know.

We have received bids on improving the alleyways, and re-graveling a small part of the common areas. No action has been taken at this time. We are trying to coordinate our efforts with the Road District.

Architecture Review Committee

The Bella Beach Homeowners Association has several committees that oversee various parts of the HOA and report to the Board of Directors.

One of these committees is the Architecture Review Committee. The ARC sets architecture and design standards for the Bella Beach community. It also reviews applications from homeowners for exterior changes to houses, hot tub placement, fences, decks, etc.

If you are planning a change to the exterior of your house or an addition or change to an exterior structure such as a deck, porch, fence or outbuilding, you need to contact the ARC for prior approval.

Signs Update

The HOA was required by the Oregon Department of Transportation to remove the two signs at the entrance to Bella Beach. As we discovered, the original white and blue signs were on ODOT land. ODOT claims the signs were always in violation of ODOT policy, but was unable to address why they had been allowed to remain in place for five years.

The Board is investigating alternative locations for the signs and will work with Lincoln County on approved placement on Bella Beach property.

Treasurer's Update

\$9,325 in checking account.
\$28,555 in reserves account.

Three homeowners are behind on their dues from January. One of the three is significantly behind. All three have been contacted and asked to rectify the situation.

The Board has received the results of the HOA Reserves study and will be analyzing the results in the coming months. Initial indications are that we may need to increase the reserves in the coming years.

Commercial Properties Update

The development of the commercial properties continues. Bella Beach Property Management is now on-site in the southwest commercial building. They plan to be checking in guests starting in April. The two other commercial buildings have sold, but the plans for the buildings are not known. The café has not yet sold, but is being actively marketed.

Property Management Company Approved by HOA

Belle Beach Property Management has applied to become a HOA-approved rental agency. The HOA Board approved the application on April 4th.

Bella Beach Vacation Rentals is in the process of making application to become a HOA-approved rental agency. We anticipate that this application will be completed and approved by the July 1st deadline.

To date, we have not received application from the other property management companies operating in Bella Beach. Starting July 1st, homeowners who rent their homes through a property management company are required to use a HOA-approved company.

Legal Correspondence

A letter the Board of Directors recently received from the attorney for one of our homeowners, and the response from our attorney can be found on the Bella Beach website at: www.BellaBeach.org/board_reports/

Rules Committee Update

Since the new rules were approved in January, the Board has received questions, concerns and feedback from eight homeowners.

To address concerns and answer questions as efficiently as possible, the Board has created a Frequently Asked Questions section on the www.BellaBeach.org website. We have included some of the FAQ information later in this section.

Additionally, we have written an introduction to the rules document that has been included in most recent revision. The goal of the introduction is to provide context for the rules along with information on the HOA goals behind the rules. The introduction text is included later in this section.

Based on homeowner feedback, the board has made three adjustments to the rules. The details are included below and have been incorporated into the current release of the rules document, which has been published on the www.BellaBeach.org website.

Revised Parking Rule

The Board has approved a change to the parking rules to better accommodate the variety of parking situations in various areas of Bella Beach.

New rule wording:

Parking is limited to the number of automobiles that can be parked off-street (garage, driveway, and alleyway parking spots) plus one (1) additional automobile parked on-street. Off-street parking areas should be utilized before on-street parking.

Old rule wording:

Automobiles are limited to 3 automobiles per property. Only one of the three allowed automobiles may be parked on the street. Primary parking areas are off-street (driveways, garages and alleyways). This rule applies to renters, temporary visitors, and guests of renters.

Hot Tub Hours Rule

At the February 24th Board meeting, the Board voted to change the hot tub hours.
New hours: 8am - 10:30pm
Old hours: 10am - 10:30pm
Please note that quite time hours remain in effect until 10am and regulate hot tub usage accordingly.

Enforcement Dates

At the February 24th Board meeting, the Board voted to extend the enforcement date for the rental signs rule and the emergency contact information form until May 1, 2007.

The Board also voted to extend the enforcement date to July 1, 2007, for Property Management Companies to become licensed with the Oregon Real Estate Agency.

New Introduction to the Bella Beach Rules Document

The Bella Beach HOA has adopted a number of rules in addition to the community CC&Rs and By-laws.

The rules are a living document and will be updated as necessary to address the ongoing and changing needs of the Bella Beach community. We welcome your input on the rules and all other aspects of Bella Beach. A Feedback and Contact List is maintained on the Bella Beach website at:

<http://www.bellabeach.org/contact/>

As a community that has enjoyed rising popularity in the past few years, we have experienced some growing pains.

These rules are a response to homeowner concerns about a variety of community and livability issues. They are intended to help set expectations for owners and renters, prevent problems, and provide a framework under which problems can be addressed.

Likewise, the fines associated with rules violations are intended as a preventative measure. They are not a revenue source for the HOA. The Board anticipates very few fines will be levied, hopefully none.

As with any set of rules for a community, monitoring and enforcement are important. At Bella Beach, homeowners, property management companies and the HOA share these roles.

Property management companies are responsible for the active monitoring of renters and rental properties.

The HOA provides security during the busiest times of the year. HOA security is a not intended to actively monitor for rules violations. However, if (and only if) there is a problem or complaint, then security services have the right to determine if occupancy rules or other rules have been broken. As we discovered during the summer of 2006, having visible security is very effective at preventing problems. We anticipate the cases where HOA security is required to investigate or intervene in a situation will be very few and far between.

Frequently Asked Questions

The Board of Directors maintains a list of answers to frequently asked questions related to the rules and CC&Rs on the Bella Beach website. The list is available at: http://www.bellabeach.org/bylaws_ccrs/files/rules_faq.html

We have included some of the FAQ below...

Q: Why does Bella Beach need rules?

A: As a community that has enjoyed rising popularity in the past few years, we have experienced some growing pains. The rules are a response to homeowner concerns about a variety of community and livability issues. They are intended to help set expectations for owners and renters, prevent problems, and provide a framework under which problems can be addressed.

Q: Do the new rules replace the Bella Beach CC&Rs?

A: No, the rules are designed to complement the CC&Rs. All provisions of the CC&Rs are still in effect in addition to the new rules.

Q: Do the new rules conflict with the Bella Beach CC&Rs?

A: No. The Board of Directors retained the services of attorney Brian Green, an expert in Oregon HOA law, to assure that the new rules complement the Bella Beach CC&Rs and abide by applicable Oregon laws. The full CC&Rs are available on the Bella Beach website at:

http://wwwbellabeach.org/bylaws_ccrs/files/ccrs.html

Q: Are the fines expected to be a source of revenue for the HOA to pay for security or other budget items?

A: No. The Board anticipates very few fines will be levied (hopefully none). The rules and fines have been put in place, primarily, as preventative measures. Our hope is that they set expectations and prevent problems. As a secondary purpose, the rules provide a framework under which problems can be addressed.

Q: Why are fines assessed against homeowners and not renters directly?

A: Unfortunately, the HOA does not have the ability, under Oregon law, to levy fines against renters or to require property management companies to fine renters. The Board of Directors recognizes that this is a somewhat awkward arrangement. We explored a number of ways to work around the restrictions. We were unable to find one that the HOA attorney felt would be within Oregon law and enforceable in court, if that ever became necessary.

Q: Will security services retained by the HOA actively monitor the number of renters in a residence? Number of dogs? Hot tub hours?

A: No. Active monitoring of renters is the responsibility of property management companies. However, if (and only if) there is a problem or complaint, then security services have the right to determine if occupancy rules or other rules have been broken.

As we discovered during the summer of 2006, having visible security is very effective at preventing problems. We anticipate the cases where security is required to investigate or intervene in a situation will be very few and far between.

Q: Did the board make changes to the rules after the October HOA meeting where the rules were discussed?

A: Yes. Some minor adjustments to the rules were necessary to assure that the rules complement the CC&Rs and comply with Oregon law. Also, after the HOA meeting, a review of the CC&Rs revealed that the rental signs rule contradicted the CC&Rs. That rule was changed substantially to comply with the CC&Rs. Those interested in the specific changes can view the October draft on the Bella Beach website at:

http://www.bellabeach.org/board_reports/reports/060918_DraftRules.html

The final rules are also available on the website at:

http://www.bellabeach.org/board_reports/reports/070117_Rules.html

Q: When do the rules take effect?

A: The rules go into effect on February 17, 2007. Enforcement dates vary by rule and most have a 30-day grace period. At the February 24th Board of Directors meeting, the enforcement date for the Rental Signs rule and the Emergency Contact Information rule were extended to May 1, 2007. Please see the final rules document for specific information.

Q: Are the rules final?

A: Yes. However, the Board of Directors invites feedback from HOA members and will amend the rules as needed to sustain Bella Beach's high standards of community and livability.

Q: How are rules violations handled?

A: All alleged rule violations will be sent to the Board for review. All homeowners have the right to present their objections about any proposed fine or sanction to the Board.

Miscellaneous News and Information

Security Update

The Board has distributed a Request for Proposals to several area security and property management companies to provide weekend and holiday security from Memorial Day weekend through Labor Day weekend. We expect to have responses by the end of April and a security company selected by Memorial Day weekend.

Member Directory for Website

Work on the online Member Directory is progressing, albeit somewhat slowly. The Board is working on getting the emergency contact information forms entered into a database. Once that is accomplished, the emergency contact information for each Bella Beach property will be available in a password-protected section of the www.BellaBeach.org site. Only HOA members will have access to this section. In a later phase, additional opt-in information will be added to the online directory.

Dog Bite Incident

There was a dog bite incident at Bella Beach on March 4th. Apparently a young man with a dog was seen around Bella Beach with the dog unleashed. At least two different people asked him to put a leash on his dog, but the requests were ignored. Late in the morning this dog attacked the dog of a Bella Beach homeowner. When confronted, the young man refused to give his name or state where he was staying. A complaint was filed with the Lincoln County sheriff, and a report was made. Fortunately, both the homeowner and her dog are doing well. This incident serves to show the importance of keeping dogs on a leash when in Bella Beach. (Dogs are free to run off leash on the beach). Please keep your dogs on leash, and if you rent your home, please have your renters to do the same.

Roof Rat Problem

A homeowner in Bella Beach recently had rats enter their sewer roof vent and cause extensive damage to their living & dining room ceiling, garage ceiling & hardwood floors. A pregnant rat chewed a hole in the PVC pipe at the Y-connection, in order to get to a dry area in the insulation to build a nest. The morning after arriving, the owners used the upstairs toilet & came downstairs to find water dripping from their dining & living room ceiling & onto the hardwood floors. Upon removing sections of the ceiling, the plumber found the hole along with strong evidence that it had been caused by rats. Later that day when the water mitigation team removed all damaged ceiling & insulation, they located & removed a large rat & approximately 10 babies comprising 2 litters. The Killers, an extermination company from Newport & Lincoln City inspected the premises the following day & could find no access for rats other than the roof. He told the owners that roof rats can chew through PVC pipe in a matter of hours & that they're common along the Oregon coast; he recommended traps be set around the property & underneath the exterior crawl space. The owner also intends to cover the sewer vent with hardware cloth (the recommended screening material). If you'd like more information on this subject, just Google "roof rats".

Board of Directors Election Candidate Statements

Pam Getty:

I have been on the Board for the past 2 years as the HOA treasurer. During this time, this Board has worked diligently to use our dues wisely and invest our money where it is safe and earning interest. I am proud of all that we have accomplished financially. At this time, our reserves are strong, and building even stronger. We have stayed right on budget the past two years. I have worked hard to maintain this budget. We increased dues this year, so we could add more to reserves and complete some much needed projects.

I decided I would like to stay on the Board, as it has been a wonderful experience getting to know our homeowners and representing all the owners. We have a diverse community, and I feel strongly that it is important that we are fair to all and listen to all the needs of each owner. I have stated many times that to me it is important to maintain the integrity we have here at Bella Beach so that each of our investments will continue to grow. I am always willing to listen to each of you and understand all sides of the equation.

If re-elected I am willing to continue on as Treasurer, working closely with our accounting firm. As a Manager of a Credit Union I have a strong financial background and I am bonded and insured for my profession and the Board.

Thank you for your consideration.

Pam Getty

Jadene Stensland:

I am interested in participating on the Bella Beach HOA Board. Bella Beach is a great community and I want to help maintain our livability. Purchasing my homes in Bella Beach has been one of my favorite investments. My family has a comfortable place to play and meet new friends.

We know that owners and renters return to Bella Beach again and again because of the atmosphere. The Board has adopted new Rules to sustain the community. As we learn to work together with these Rules, we need to understand each others opinions. I hope to advocate for the 75% +/- investors-owners and provide their perspective to the Board and guide us to the future of our community.

The Board has some challenges ahead, in meeting the needs of the owners. Listening to the owners concerns and communicating effectively will be necessary. We have dedicated leadership that is committed to having our community thrive. I want to be part of the team.

Thank you for considering me.

Jadene Stensland

BBHOA Annual Meeting
April 28, 2007
Ballot for BBHOA Board for 2007
Two-Year Term Ending April 2009

Homeowners may vote in three ways:

1. Vote by submitting a signed ballot to any board member;
2. Vote by submitting a signed ballot at the annual meeting; or
3. Vote by signing and dated proxy and having the proxy submit the ballot to any board member.

A quorum for the election occurs when at least 40% of the homeowners submit their ballots for the election of board positions.

Vote for 2

Pam Getty	_____
Jadene Stensland	_____
_____	_____
_____	_____

Name _____

Bella Beach Lot # _____

Signature _____ Date _____

Proxy In The Alternative

If you cannot attend the meeting and wish to vote by proxy, complete this proxy.

I hereby grant _____ to cast a vote on my behalf and to act as my proxy during the BBHOA meeting of April 28, 2007.

Signature

Date