

MEETING MINUTES
Board of Directors Meeting
Terrace Homes Owners Association
Potter's Residence – Monday, July 19, 2021

1. CALL TO ORDER - The meeting was called to order at 6:09p. R. Potter welcomed the attendees.
2. QUORUM - R. Potter reported that Jane was under the weather and would not be attending. Three of the four Board members (Darrell Hill, Tom Hiebsch, Robert Potter) were in attendance satisfying the quorum requirements of Section 6.03 of the Bylaws. In addition to the Board members, the following Association members were in attendance:

Jim and Barbara Crawford
John & Sarah Elder
Ray Koenig

Mary Potter
Ross Viner
Linda Whitfield

3. CHANGES & APPROVAL OF 3/15/21 MEETING MINUTES - R. Potter asked if there were any changes to the 3/15/2021 meeting minutes. There were none. The 3/15/21 meeting minutes were approved by unanimous consent.
4. ANNOUNCEMENTS - R. Potter conveyed that the only addition to the agenda was to nominate a new Board member to satisfy the Section 4.01 Bylaw requirement of 5 directors being on the Board.
5. NEW BOARD MEMBER – R. Potter introduced and nominated Ross Viner and conveyed that he volunteered to serve on the Board as Steve Larigans replacement. There were no objections to this nomination and Ross was approved as a director by unanimous consent.
6. REPORT ON REPRESENTATION ON MASTER BOARD – R. Potter reported on Master Board activities and stated that the meeting minutes of the Master Board could be found on the Rocky Creek web site.
7. ACCOUNTING & BUDGET REPORT – Ray Koenig provided a summary of the Terrace financials and a status of the 2021 budget (see page 3). Significant variances to the budget are attributed to the snow removals from the spring snows and the additional charge for bagging grass in back yards. Back yard bagging was not included in the present services agreement. Ray also reported that 1st and 2nd quarter dues were paid or reconciled. He reported on the progress of third quarter dues.
8. TREETOP CONTRACT MANAGEMENT – Darrell Hill reported on Tree Top activities. The consensus of the Home Owners is that Tree Top is performing a value added service to the neighborhood. While there are a few areas requiring improvement, the services provided for the most part, meet homeowner expectations. There was some discussion about managing homeowner participation when the agreement is renewed. It was the consensus of the attendees that 100% participation is desired and that cherry picking services should not be permitted. This topic will be discussed in more detail during the September meeting.
9. WASTE CONTRACT MANAGEMENT - Darrell Hill reported on Waste Management services. Much like Tree Top, the services provided meet homeowner expectations.

10. SOLICITATION POSTING – Each of the attendees shared recent experiences with door to door sales and charity seekers. It was a conscious of the attendees that a no solicitation approach for the neighborhood is desired. Prior to the September meeting, the Board will develop the proper verbiage for a sign and propose a recommended location for posting. It is expected that the sign would be posted close to the Terrace entryway – possibly on the island by the Terrace monument. Page 4 and 5 provide web based information of “no solicitation” posting.
11. NEIGHBORHOOD WATCH – Based on neighborhood feedback and the consensus of the meeting attendees, a neighborhood watch program is not required at this time. No further action is required.
12. NEW BUSINESS – R. Potter ask if there was any new business. There was none. However, the following topics should be stasured at the September meeting:
 - Status of Design Review Criteria
 - Status of Covenants Compliance Checklist
13. NEXT MEETING - (September - Terrace HOA Annual Meeting. Date To Be Announced)
14. ADJOURNMENT – The meeting adjourned at 6:58p.

TERRACE PATIO HOMES OWNERS ASSOCIATION

	January thru June, 2021 - Actual vs Budget			Jan - June, 2021	July - Dec, 2021	Full Year 2021
	Actual	Budget	Variance	Actual	Budget	Projected
Income						
Homeowner Dues	19,849.62	20,010.00	(160.38)	19,849.62	20,170.38 (includes 160.38)	40,020.00
Expenses						
Landscape/Mowing	14,083.92	13,644.00	439.92	14,083.92	15,531.22	29,615.14
Snow Removal	2,900.00	0.00	2,900.00	2,900.00	0.00	2,900.00
Tree Top	0.00	0.00	0.00	0.00	200.00	200.00
Trash Service	4,009.24	4,030.52	(21.28)	4,009.24	4,030.52	8,039.76
Recording fee	480.00	208.00	272.00	480.00	0.00	480.00
Accounting-Criser	208.00	0.00	208.00	208.00	0.00	208.00
Insurance	0.00	0.00	0.00	0.00	644.00	644.00
Office Exp/PO Box	59.00	157.00	(98.00)	59.00	59.00	118.00
Postage.	6.54	20.00	(13.46)	6.54	20.00	26.54
Total Expenses	21,746.70	18,059.52	3,687.18	21,746.70	20,484.74	42,231.44
Net Income	(1,897.08)	1,950.48	(3,847.56)	(1,897.08)	(314.36)	(2,211.44)
Cash Balance	9,010.66					6,799.22 Projected
	6/30/2021					12/31/2021

Notes:

- The \$160.38 balance due on the 2nd Qtr Dues has been added to the July - December budgeted dues of \$20,010.00.
 - The original budget amount for a Office Exp/PO Box for July - December has been raised from \$45.00 to \$59.00 to reflect expected costs.
 - There are no snow removal costs budgeted in July - December.
 - The Tree Top mowing budget has been adjusted to reflect mowing changes and extra bagging costs. **ADJUST FOR CREDITS ??**
 - Tree Top budget per month Jan - June: 2,274.00
Tree Top actual per month Jan - June: 2,437.32
Monthly variance: 73.32
Monthly variance for 6 months: 439.92
- DISCUSSION ITEM FOR NEW AMOUNT**

No Solicitation Posting

Signage is Posted – Is it Actually Enforceable?

Many associations, whether gated or not, post "No Solicitation" signs at the entrance(s) or throughout the community. However, the **First Amendment** to the U.S. Constitution states that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

So, what does this mean? It means that the door-to-door salespeople canvassing your community have a constitutional right to be there.

Since 1976, the Supreme Court has upheld free speech for commercial purposes. Now, that doesn't mean that the homeowner has no right to privacy on their private property. Read on for more information ...

The Difference Between Solicitation and Advertising

Typically, solicitation is considered door-to-door selling, which is different from someone leaving advertising material on the door. Hand delivery of advertisements is cheaper than mailing, but it is still a common form of junk mail. Basically, anyone who wants to sell something can use this tactic. There's not really much the homeowner or HOA can do, except to post signage and call to report frequent or repeat offenders.

What About Local Ordinances?

Varying greatly from place-to-place, local ordinances are typically passed and enforced by municipalities.

There are several examples of local ordinances attempting to ban solicitors altogether, or to regulate them with time constraints and/or permit and registration requirements. However, the Supreme Court has traditionally sided in favor with solicitors. Check out the following cases for more information:

- Watchtower Bible & Tract Society of New York, Inc. vs. Village of Stratton
- Dubler vs. 2000 Linwood Avenue Owners Inc.
- Ohio Citizen Action vs. City of Englewood

Does it seem like the courts favor solicitors over homeowners? Maybe. However, the reason the Courts have ruled that anti-solicitation ordinances violate the First Amendment is **because the decision of whether to listen to a solicitor or not is ultimately the individual homeowners' decision!** A blanket, one-size-fits-all ruling would infringe upon both the solicitor's rights and the homeowner's right to listen, purchase, subscribe, be persuaded, etc.

Religious or Non-Charitable Organizations In some instances, religious organizations have argued that they are not soliciting anything, just trying to share encouragement through scripture. Those who distribute political advertisements could argue that they're just asking for your vote.

Many local laws exempt political, charitable, and religious groups who are not attempting to sell a product or service, while others state that these canvassers must respect "No Solicitation" signs – it all just depends on where you live! This brings about the argument of distinguishing between solicitation and trespassing.

The Difference Between "No Soliciting" and "No Trespassing"

If a homeowner really wants to avoid the hassle of dealing with bothersome knocks on the door, a

"No Trespassing" sign wields more power than "No Solicitation." If privately owned property, the HOA should be able to ban such activity by non-members under basic trespassing principles.

Non-Gated vs. Private Property

If you reside in an HOA that can only be accessed via private road(s), as is often the case in gated communities, solicitors are technically restricted from entering if "No Solicitation" signs are posted at the entrance(s). Furthermore, local laws may also restrict access to communities that have signage posted at community access points.

How to Keep Solicitors Away

If you are serious about keeping pesky door-to-door salespeople and other solicitors from bothering you at home, you will need to display a "No Soliciting" sign on your property (e.g., front door, yard, and/or window). However, before posting a sign, be sure to check your CC&Rs to see if prior approval is needed, as some HOAs strictly enforce signage rules.

While this is may not be very appealing to homeowners, this is the best way to deter solicitors. The Supreme Court has repeatedly ruled that many laws that restrict solicitation are unconstitutional, though privately posted signs are a legitimate way to tell salespeople and other solicitors to leave you alone. While a salesperson and other types of solicitors may have the right to be in your neighborhood, posting a sign on your individual property prevents them the right to knock on your door or ring your bell because you've posted an express desire that they are not welcome on your property for such purposes.

By posting such signage on your property, you are essentially telling those who solicit that they are not welcome on your property and are breaking the law if they do so. While it may not seem like much, this is the best action that you can personally take to deter solicitors. These signs are legally enforceable as means to prevent the homeowner from being disturbed.

If solicitors ignore your posted sign, your knowledge of local laws will help you turn away or prevent any unwanted visitors, although you may still need to report them to local authorities.

Ref.: <https://spectrumam.com/no-soliciting-sign/>

AGENDA
Board of Directors Meeting
Terrace Homes Owners Association
Potter's Residence – Monday, July 19, 2021 6:00 PM to 7:00 PM

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| 1. CALL TO ORDER | Potter |
| 2. QUORUM | Stalker |
| 3. CHANGES & APPROVAL OF 3/15/21 MEETING MINUTES | Stalker |
| 4. ANNOUNCEMENTS | Potter |
| 4.1. AGENDA CHANGES | |
| 5. REPORT ON REPESENTATION ON MASTER BOARD | Potter |
| 6. ACCOUNTING & BUDGET REPORT | Hiebsch &
Koenig |
| 6.1. HOME OWNERS DUES STATUS | |
| 7. TREETOP CONTRACT MANAGEMENT | Hill |
| 8. WASTE CONTRACT MANAGEMENT | Hill |
| 9. SOLICITATION POSTING | Potter |
| 10. NEIGHBORHOOD WATCH | Potter |
| 11. NEW BUSINESS | Open |
| 12. NEXT MEETING (SEPTEMBER – TERRACE HOA ANNUAL MEETING. DATE TO BE ANNOUNCED) | Potter |
| 13. ADJOURNMENT | Open |