

**PORTILLO HILLS II HOMEOWNERS ASSOCIATION INC**  
**BOARD OF DIRECTORS**

**February 24, 2022**

**Minutes**



Call to Order – President Lundin called the meeting to order at 1:35 pm.

Quorum – President Lundin noted there is a quorum with all but Ken Quast in attendance.

Attending: John Fitzgerald, Bob Gatz, Bob Schaffer, Alan Merriam, Marge Garneau.

**OLD BUSINESS:**

Secretary DeVille presented a review of CCR Article V – Other Restrictions. Section G relates to Renting and Leasing. The following is proposed as an amendment:

**Article I – Definitions:**

M. “Rent” and “Lease” shall mean all agreements, contracts, grants, memorandums, conveyances. Lets, assignments, or subleases that give a non-Owner of a Lot or Property access to or right to use a Lot or Property. A Rent or Lease may exist whether it is in writing, or not, and regardless of the amount or nature of consideration exchanged to enjoy the benefit of a Rent or Lease. The determination by Board of Director of the Association of what constitutes the renting or leasing of a Lot or Property shall be conclusive and binding on the Owner.

**Article V – Other Restrictions**

**G. Renting and Leasing. Add the following:**

The minimum period of a Rent or Lease is 30 days. At least five (5) days prior to the commencement of a Rent or Lease, the Owner shall complete the “Rental/Lease Information Form” and submit it to the Portillo Hills II Homeowners Association at the address on the form. If an Owner rents or leases a Lot or Property in violation with these requirements, the Owner shall be subject to penalties as specified by the established policies of the Board of Directors of the Association.

After discussion, Secretary DeVille moved to approve wording as presented subject to the lawyer’s review with the following changes.

- Change right to use a lot to right to use the lot.
- Add consecutive 30 days.
- Subject to penalties as specified by rules of the board of directors of the association.

Charlie seconded the motion. Discussion was held. Vote was unanimous.

Secretary DeVille presented proposed Rental Policies for Board review. He noted that the review of the CC&R and Rules found there is a section on rentals, which mentions fees but no fees have been adopted by the board. President Lundin opened the floor for discussion. There is a rental form used by the HOA, it is posted on the website.

After discussion, Secretary DeVille moved that the rental policies as proposed be approved by the board with the following changes: Section 2. add consecutive to 30 days; section 3 at least 5 days, section 3. submit the form and \$25 administrative fee, and 5b should say \$100 per violation. Charles Logan seconded the motion. Discussion. Vote was unanimous.

President Lundin noted that any CCR change to the existing wording would require approval by the HOA members and should include the following steps:

1. People talk to others about what we plan to do.
2. Decide the best way to do this?
  - a. Secret ballot. HOA members comfortable with this.
  - b. Do like a proposition.

Secretary DeVille moved that the administrative assistant send an email from the President enclosing the current rental lease information form, making it clear this has been in effect for many years and state the board at special meeting reviewed the form and CCR and realized no penalties were specified. The form and Rental Rules should be attached to the email. Charlies seconded. Discussion was held. Unanimous.

Secretary DeVille recommended that the Board hold information round tables so people understand the proposed CCR change and can ask questions or voice concerns. The Board agreed.

#### Announcements

Next Board Meeting is April 14, 2022 at Las Campanas

At the Board meeting in the Fall of 2023, and annually thereafter, the board needs to determine whether or not to continue with the new contract, and if so to negotiate the new price with Waste Management. This is because on July 1, 2024, and annually thereafter, the trash and recycling contract with Waste Management will automatically renew unless between the beginning of January 2024 and the end of March 2024 the HOA President gives Waste Management written notice otherwise. Except for the monthly price, the terms of the contract will not change. If the board does not take any action, then on July 1, 2024 the new rate will be set at Waste Management's sole discretion.

#### Visitor Comments

Adjournment Charles Logan moved the meeting be adjourned at 3:05 pm, Vice President Stanford seconded. Meeting was adjourned.

Respectfully submitted,

Thomas DeVille  
Board Secretary

mg