

# EXHIBIT 2

Resolution 5

# **STAFFORDSHIRE HOMEOWNER'S ASSOCIATION**

## **RESOLUTION PERTAINING TO FINES #5**

The Staffordshire Homeowner's Association has determined it necessary to establish a Resolution instituting a schedule of fines for violation of the Policies and Guidelines, the Covenants, Conditions and Restrictions (CCRs), and the Bylaws. Over time, Residents' care of their properties has fallen below standards in some instances, which makes the park less attractive place to live. The Board wants to do what is best for all of us who live here to protect the beauty of our surroundings. All residents are required to comply with the Association's rules.

The Association's Board of Directors has the power to enforce the Association's rules, exercising its reasonable business judgment. The Board may levy fines for violations after notice and an opportunity for a hearing. (ORS 94.630)

### **FILING A COMPLAINT**

Any resident may file a complaint with the Architectural Control Committee (ACC) on its form listing the problem(s) and naming the relevant CCRs, Bylaws or Policies and Guidelines. The ACC may request a verbal conversation with the resident. If the ACC reviews the complaint and finds no violations, it will take no further action. If the ACC believes there is a violation, it will provide the Board with a written description of the problem(s) and actions the resident needs to take, and listing the relevant CCRs, Bylaws and Policies.

The ACC may also initiate complaints to the Board, based on their own observations.

### **PROCESS**

#### **Notice**

Upon making a preliminary determination of a violation of the Policies and Guidelines, CCRs or Bylaws, the ACC will send a Written Notice to the Resident by first class mail. The notice will describe the alleged violation, notify the owner that the board may levy a fine, and notify the owner that he or she may request a hearing before the board, that the owner has 10 days to request a hearing, and how to request a hearing. The notice may contain any remedy required to correct the violation, and a time frame for completing that remedy. The homeowner must submit a written request for a hearing to the Board before the ten (10) day deadline expires or the ACC's preliminary determination will become final.

#### **Hearing**

If timely requested, a hearing will be held in an open meeting of the Board. At the hearing, the Board will listen to the evidence and arguments, including the testimony of expert witnesses. The Resident may produce statements, evidence, or witnesses

in support of their position. The Resident's evidence shall not take more than 20 minutes. The Board may also hear from any complaining owner about the alleged violation.

At the conclusion of the evidence, the Board will vote on a course of action. The Board may vote to levy fines, dismiss the case, or take the evidence under advisement. If the Board takes the evidence under advisement, it will make a decision at a future open meeting.

If the homeowner fails to attend the hearing, the Board will vote on a course of action without a hearing.

The board may levy the entire fine associated with a period of time (e.g., a weekly or daily fine) regardless of whether the violation continues for the entire period of time at issue.

### **Payment of Fines**

Any costs incurred by the Association to enforce the CCRs, Bylaws and Policies, including interest and costs of collection, are the Homeowner's responsibility.

Homeowners and Residents are responsible for damage caused to the common areas by themselves, their guests, renters, or pets. Residents are responsible for informing their guests or renters of the rules and regulations of Staffordshire. The Homeowner is responsible for corrective actions and for any fines assessed due to the above actions.

### **Non-waiver**

If other owners have non-allowed conditions on their property, it does not become a precedent for future modification or enforcement.

### **SCHEDULE OF FINES**

**Parking Violations (Policies and Guidelines, Sections 4 and 11; CCR Article VI, Paragraph 8):**

\$50 per day

**Garbage and Trash Violations (Policies and Guidelines, Section 7. CCR Article VI, Paragraphs 5 and 9.):**

\$50 per day or occurrence

**Greenway Usage Violations (Policies and Guidelines, Section 9):**

\$50 per day or occurrence



**Common Areas Violations (Policies and Guidelines, Section 2):**

\$50 per occurrence

**Unapproved Modification to House or Lot (Policies and Guidelines, Section 10; Bylaws Article VII page 14. CCR Article IV, Paragraphs 3, 5, 6, 7, 8, 9, 10, 11, 13. CCR Article V, Paragraph 3. CCR Article VI, Paragraphs 9 and 11.):**

\$100 per day

**Landscape Maintenance Violation (Policies and Guidelines Section 10. CCRs Article VII. CCRs Article VIII):**

\$100 per day

**Pet Violations (Policies and Guidelines Section 12. CCR Article VI, Paragraph 4.):**

\$50 per day or occurrence

**RV Storage Lot Maintenance Violation (Policies and Guidelines Section 15):**

\$50 per day

**Unapproved Signs in Yard (Policies and Guidelines Section 16):**

\$50 per day

**Annoyance or nuisance (CCR Article VI, Paragraph 7):**

\$250 per occurrence

**Board actions to correct violations on residents' lots (CCR, Article IX, Paragraphs 1 and 2):**

\$100 plus costs incurred

**Other continuing violations of the Association's CCRs, Bylaws or Rules and Regulations:**

\$50 per day

**Other occurrence-based violations of Association's CCRs, Bylaws or Rules and Regulations:**

\$50 per day

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## SHOA

### Board of Directors Meeting

August 15<sup>th</sup>, 2024

6:30-8:00 pm

Meeting held in the clubhouse of Staffordshire Homeowner Association

Meeting was called to order by president Dean Begines, at 6:35 pm on Thursday, August 15<sup>th</sup>, 2024.

Directors present: President: Dean Begines, Vice Pres: Mac McGlinchy, Treasurer: Sara Jean Hein, Secretary: Lorena Brigl, Director: Helen Lottridge, Director: Carol Philips, Maintenance: Don Begines.

In attendance twenty-eight members were present and seven on zoom.

Meeting Minutes approved- Mac made the motion Don seconded it. Motion Passed.

**Treasurer's Report**- Sara Jean Hein presented the latest treasurer's report. 45,030.83 in unbudgeted expenses this year. A discussion came up about the grant money that was received a few months back. Discussion tabled until next month.

**Maintenance Report**-Don Begines gave report on another valve repair coming up that is not budgeted for. He has no idea of the cost at this time. Gas vehicles stay off the common area. Main gate has been powered washed and ready for paint. Maintenance will be cleaning ditches out in the next couple weeks. It was decided Porta Potty will be there through September for the last picnic of the year.

**Welcome Committee**-Pat Roach gave report. Up to date on books. They are going around to some homes to see if they have received a welcome book. In the book are all the forms, CC&R'S, and bylaws. Lorena discussed going through files in office to see who may not have a welcome book. Welcome committee to get those out and return the signed form.

**ACC Committee**-Randy Brigl gave report-application forms are available for any projects to be done on your property. All projects must be approved by the ACC committee and the board. Application forms and complaint forms are both in the clubhouse. Complaint forms are anonymous, but they ask for name to have a contact person. Return to the office or an ACC committee member. Courtesy letters have gone out to a few homes. Randy Brigl said that the ACC committee was very pleased to see people getting their yards cleaned up. 85% of the homes look great. Makes Staffordshire a more desirable place to live.

**Garden Committee**-Karen Begines-Vegetables that are ready will be found on the east side of the clubhouse.

**Reserve Study**- Helen- Representative was here and took a tour. Overall positive impression of the park and how it has been taken care of. The representative said we do have some looming expenses with the water system, the pool and roads. They will project our annual expenses for the next 30 years, by each year. They will recommend to us how to plan and prepare for these expenses. Should have a rough draft report back in the next 4 weeks approx.

**Participation Forms**: Dean discussed Steve Shorts participation form on no recording. Dean discussed our resolution 4 and there will be no recording. Dean discussed resolution 5 and fines is in the works now. It will fall in line with our CC&R's. The fines are mostly about keeping your yard and home. The community has fallen back a bit. Jeanine reiterated the fact that we all just want yards and home kept.

R-5\*

**Open Forum**-Community discussion time.

Adjourn 8:15

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## SHOA

### Board of Directors

#### Meeting/Informational meeting

Sept 19, 2024

6:30-8:00 pm

Meeting held in the clubhouse of Staffordshire Homeowner Association Meeting was called to order by president Dean Begines, at 6:30 pm on Thursday, September 19 th , 2024.

Directors present: President-Dean Begines, Vice Pres: Mac McGlinchy, Treasurer: Sara Jean Hein, Secretary: Lorena Brigl, Director: Helen Lottridge, Director: Carol Philips, Maintenance: Don Begines. In attendance thirty-two members were present and seven on zoom.

Approval of Previous meeting's minutes. Motion by Don Begines to approve the minutes of previous board meeting held August 15 th , 2024. Motion seconded by. Motion passed as written.

Dean discussed Resolution 5 that had to do with fines. We have spent three months on this resolution to make it fair and correct. Discussed curtesy letter of rules broken. The second letter would be stating a fine would be levied but the opportunity to discuss the fine would also be an option to be considered.

We only want to enforce the rules and regulations within the CCR'S.

Motion moved by Don and Mac

seconded. Motion passed as written.

Resoltion 6- Policy allows for parking of only three vehicles or trucks in a driveway only. Contractor and

service vehicles allowed. If you need street parking, please contact the board of the month. Dean discussed it is hard for those walking or with walkers going around vehicles. This is for safety reasons.

Helen moved and Don seconded. Motion passed as written.

Treasurer's Report- Jeannie presented the latest treasurer's report. Reports in the Newsletter each

month. Jeannie mentioned the tabled discussion from last month of the funds for the water grant. This

took place over the time of two different boards and the deposits and payments to Hole in one were

made totaling the \$20,000 that was received.

Maintenance Report-Don's report included work done previously and current. Don discussed the ice storm and the 3-4 months of cleaning that were involved. Pictures were shown of the clean up projects.

Don thanked many of the community members that spent many hours out in the field. Von spent many hours out there cutting wood. We now have thirty cords of wood for sale. Don discussed the new spa heater that was installed at a cost of \$1760.00. Ditches are all cleaned. Cul de sacs and parking spaces painting is completed. Don thanked Von for four days helping with road crack sealing. Don discussed sewer behind Erik Jacobson's house now fixed completely. Big expenses to pump house 2. Thanks to



Steve H for all his behind-the-scenes work cutting, weed whacking etc. Much appreciated.

Welcome Committee-Bev Cleland-Not a lot going on currently.

ACC Committee-Randy discussed applications can be found in the clubhouse. If you have an application that is older than 6 months out, please fill out another one. Lot of yard improvements going on. The community Thanks you! The second curtesy letter is going out addressing the area of improvements needed. The topic of yard art came up with some of the community members. How much is too much?

Randy discussed this would be discussed soon as well as the 4-foot area behind homes that owners are responsible for keeping maintained. Questions you may have regarding a letter received please don't hesitate to contact the board person of the month.

Jeannie brought up that the comment most heard from members is getting people to read and follow the CCR'S.

SAC-Karen Begines discussed that Jo Zacklan organizes the women's luncheon which are paid for by the women attending. SAC organizes the potlucks you have had this year and are in the works organizing the Thanksgiving get together. Mac asked about the Vets breakfast. They will work on that in October's meeting. They encourage others to get involved. Meetings on the first Tuesday of each month. Sac is

self-sufficient and run by donations.

Garden Committee-Jo Zaklan-lots of vegetables out there and on the table back of clubhouse.

Good to know-Dean discussed Goshen fire dept would be speaking. Organized by Melanie. Good program to have.

Old Business- Helen discussed that we now have the Reserve study in hand. Two parts go into the study and one part shows the useful life left. And the financial analysis that helps us plan for expenditures.

Reserve study is an important part of keeping our home values up. The study will help us with a maintenance plan, so we have an idea and cost for replacement and repairs. The board will be going over the one hundred plus page document of the draft Reserve Study. We will be working on it this next month and plan to discuss it with you at the October meeting. The plan is to have someone from the study to come talk to us possibly.

Participation Forms: Dean brought up Steve Short form that was received three days ago. Not enough time for board to discuss. Randy discussed Evelyn participation form of needing volunteers to help with yards etc. Randy said he appreciated her participation form.

Open Forum-Meeting closed.

Adjourn 8:10



# ORS 94.630

## Powers of association

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Subject to subsection (2) of this section and ORS 94.762 (Electric vehicle charging stations), 94.763 (Association use of pesticides on lots), 94.776 (Development and division of lots), 94.778 (Prohibition against installation of solar panels void and unenforceable) and 94.779 (Unenforceability of certain requirements and restrictions), and except as otherwise provided in its declaration or bylaws, a homeowners association may: ∅

Adopt and amend bylaws, rules and regulations for the planned community;

Adopt and amend budgets for revenues, expenditures and reserves, and collect assessments from owners for common expenses and the reserve account established under ORS 94.595 (Reserve account for maintaining, repairing and replacing common property);

Hire and terminate managing agents and other employees, agents and independent contractors;

Defend against any claims, proceedings or actions brought against it;

Subject to subsection (4) of this section, initiate or intervene in litigation or administrative proceedings in its own name and without joining the individual owners in the following:

Matters relating to the collection of assessments and the enforcement of governing documents;

Matters arising out of contracts to which the association is a party;

Actions seeking equitable or other nonmonetary relief regarding matters that affect the common interests of the owners, including but not limited to the abatement of nuisance;

Matters, including but not limited to actions for damage, destruction, impairment or loss of use, relating to or affecting:

Individually owned real property, the expenses for which, including maintenance, repair or replacement, insurance or other expenses, the association is responsible; or

Common property;



Matters relating to or affecting the lots or interests of the owners including but not limited to damage, destruction, impairment or loss of use of a lot or portion thereof, if:

Resulting from a nuisance or a defect in or damage to common property or individually owned real property, the expenses for which, including maintenance, repair or replacement, insurance or other expenses, the association is responsible; **or**

Required to facilitate repair to any common property; **and**

Any other matter to which the association has standing under law or pursuant to the declaration or bylaws;

Make contracts and incur liabilities;

Regulate the use, maintenance, repair, replacement and modification of common property;

Cause additional improvements to be made as a part of the common property;

Acquire, hold, encumber and convey in its own name any right, title or interest to real or personal property, except that common property may be conveyed or subjected to a security interest only pursuant to ORS 94.665 (Authority of association to sell, transfer, convey or encumber common property);

Grant easements, leases, licenses and concessions through or over the common property as provided in ORS 94.665 (Authority of association to sell, transfer, convey or encumber common property);

Modify, close, remove, eliminate or discontinue the use of common property, including any improvement or landscaping, regardless of whether the common property is mentioned in the declaration, provided that:

Nothing in this paragraph is intended to limit the authority of the association to seek approval of the modification, closure, removal, elimination or discontinuance by the owners; **and**

Modification, closure, removal, elimination or discontinuance other than on a temporary basis of any swimming pool, spa or recreation or community building must be approved by at least a majority of owners voting on the matter at a meeting or by written ballot held in accordance with the declaration, bylaws or ORS 94.647 (Use of written ballot for approving or rejecting matters subject to meeting of association members);

Impose and receive any payments, fees or charges for the use, rental or operation of the common property and services provided to owners;

Adopt rules regarding the termination of utility services paid for out of assessments of the association and access to and use of recreational and service facilities available to owners. The rules must provide for written notice and an opportunity to be heard before the association may terminate the rights of any owners to receive the benefits or services until the correction of any violation covered by the rule has



occurred;

Impose charges for late payment of assessments and attorney fees related to the collection of assessments and, after giving written notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws, rules and regulations of the association, provided that the charge imposed or the fine levied by the association is based:

On a schedule contained in the declaration or bylaws, or an amendment to either that is delivered to each lot, mailed to the mailing address of each lot or mailed to the mailing addresses designated in writing by the owners; **or**

On a resolution of the association or its board of directors that is delivered to each lot, mailed to the mailing address of each lot or mailed to the mailing addresses designated in writing by the owners;

Impose reasonable charges for the preparation and recordation of amendments to the declaration;

Provide for the indemnification of its officers and the board of directors and maintain liability insurance for directors and officers;

Assign its right to future income, including the right to receive common expense assessments; **and**

Exercise any other powers necessary and proper for the administration and operation of the association.

A declaration may not impose any limitation on the ability of the association to deal with a declarant that is more restrictive than the limitations imposed on the ability of the association to deal with any other person, except during the period of declarant control under ORS 94.600 (Declarant control of association).

A permit or authorization, or an amendment, modification, termination or other instrument affecting a permit or authorization, issued by the board of directors that is authorized by law, the declaration or bylaws may be recorded in the deed records of the county in which the planned community is located. A permit or authorization, or an amendment, modification, termination or other instrument affecting a permit or authorization, recorded under this subsection shall:

Be executed by the president and secretary of the association and acknowledged in the manner provided for acknowledgment of instruments by the officers;

Include the name of the planned community and a reference to where the declaration and any applicable supplemental declarations are recorded;

Identify, by the designations stated or referenced in the declaration or applicable supplemental declaration, all affected lots and common property; **and**

Include other information and signatures if required by law, the declaration, bylaws or the board of directors.



Intentionally left blank —Ed.

Subject to paragraph (f) of this subsection, before initiating litigation or an administrative proceeding in which the association and an owner have an adversarial relationship, the party that intends to initiate litigation or an administrative proceeding shall offer to use any dispute resolution program available within the county in which the planned community is located that is in substantial compliance with the standards and guidelines adopted under ORS 36.175 (Rules for administration of dispute resolution programs). The written offer must be hand-delivered or mailed by certified mail, return receipt requested, to the address, contained in the records of the association, for the other party.

If the party receiving the offer does not accept the offer within 10 days after receipt by written notice hand-delivered or mailed by certified mail, return receipt requested, to the address, contained in the records of the association, for the other party, the initiating party may commence the litigation or the administrative proceeding. The notice of acceptance of the offer to participate in the program must contain the name, address and telephone number of the body administering the dispute resolution program.

If a qualified dispute resolution program exists within the county in which the planned community is located and an offer to use the program is not made as required under paragraph (a) of this subsection, litigation or an administrative proceeding may be stayed for 30 days upon a motion of the noninitiating party. If the litigation or administrative action is stayed under this paragraph, both parties shall participate in the dispute resolution process.

Unless a stay has been granted under paragraph (c) of this subsection, if the dispute resolution process is not completed within 30 days after receipt of the initial offer, the initiating party may commence litigation or an administrative proceeding without regard to whether the dispute resolution is completed.

Once made, the decision of the court or administrative body arising from litigation or an administrative proceeding may not be set aside on the grounds that an offer to use a dispute resolution program was not made.

The requirements of this subsection do not apply to circumstances in which irreparable harm to a party will occur due to delay or to litigation or an administrative proceeding initiated to collect assessments, other than assessments attributable to fines. [1981 c.782 §36; 1999 c.677 §13; 2001 c.756 §13; 2003 c.569 §11; 2007 c.410 §2a; 2009 c.641 §6; 2016 c.86 §1; 2017 c.423 §5; 2021 c.64 §4]

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*Location:* [https://oregon.public.law/statutes/ors\\_94.630](https://oregon.public.law/statutes/ors_94.630)

*Original Source:* Section 94.630 — Powers of association, [https://www.oregonlegislature.gov/bills\\_laws/ors/ors094.html](https://www.oregonlegislature.gov/bills_laws/ors/ors094.html) (last accessed May 10, 2025).