Tate HOA Board of Directors

Minutes

March 16, 2023

Tate Board of Directors Present: John Fisher, Chair; Meredith Compton, Vice Chair; Lauren Dame, Treasurer; Dean Kortge, Chair Emeritus; Mark Hudson, Secretary

Tate BMC Management Present: Diane Sollinger

Homeowners and Guests Present: Joel Chinitz, Don Doerr, Anne DeLaney, Zeca Drouin, Diana Gardener, Hallis, Carolyn Kortge, Jim Maxwell, Nicki Maxwell, Sherrill Kirchhoff, David Kolb, Carol Lavery, Mona Meeker, Anne Niemiec, Rose Nestor, Mary Okief, Laura Parrish, Nancy Piccioni, Lew Powell, Christine Sauer, Marion Sweeny, Jim Weston

The meeting was called to order by John Fisher, Chair, at 4:00 p.m.

Chair's Report: John Fisher announced that the Board has engaged Pablo Valentine, a Land Use Law Attorney, to review and offer an opinion on the matter of the recent request from BRIXX Development Company. Essentially, the request is for permission to bore along the East edge of The Tate's property in order to facilitate EWEB electric cable service to BRIXX's proposed Storage Building on the lot immediately adjacent to The Tate's North boundary. At the meeting, John read, out loud, the introductory letter which was written by Lauren Dame and sent to Pablo Valentine. Lauren's letter clearly outlines the Board's thoughts and concerns as follows:

Dear Mr. Valentine:

I am contacting you on behalf of the HOA Board of Directors of the Tate (1375 Olive St.), concerning a legal issue that has recently arisen concerning an easement from Tate property to EWEB. Jean Tate recommended that the Board contact you because of previous work that you and Paul Vaughan have done for the Tate.

Here is some background so that you understand what we wish to meet with you about: Very briefly, a developer has purchased a lot immediately north of the Tate, and plans to build a 4-story building that will house self-storage units. In order for them to obtain electricity, they need to have underground connections to the EWEB vault, located beneath Tate property. (There is some question about why the wires need to be underground, and may be related to the size and placement of the proposed building, and the developer's failure to take the location of the overhead electrical wires into account.) EWEB currently has an easement from us, and in our communications with the developer, the developer has referred to the easement as being a "blanket easement without any exceptions" and that it is an easement "without restrictions." The developer wants to bore under the land of the existing easement, and we are concerned about the possible destruction of a row of trees located in the area, damage to our parking area, and disruption if the parking area cannot be used during the process of boring.

The easement in question is from 1931, is one page long, and the language of the easement refers to an easement for the purpose of erecting and maintaining poles and wires for electricity and phones "over and across" the land, and there is nothing in it that suggests that it includes boring underground. The scope of the easement and how it would be interpreted today is obviously a legal question, but we are hoping for an initial consultation with you to decide how far to pursue this issue or what our options may be.

Thank you and I look forward to hearing from you.

Lauren Dame
Treasurer, Tate HOA Board of Directors

Treasurer's Report: There was no Treasurer's Report at this time.

Questions and Comments from Homeowners and Residents:

Nancy Picionni inquired about the best means to access the BOD's Meeting Minutes. Diane Sollinger reminded her that, once approved, the meeting minutes are accessible on BMC's Website through the Homeowners Portal.

In behalf of the Board and the total HOA, Dean Kortge welcomed Laura Parrish as the new owner and resident of The Tate Unit #401.

Jim Weston brought attention to "THE TATE EMERGENCY PREPAREDNESS BROCHURE" and its value to all residents.

Committee Reports:

Asset Investment: Joan Hudson, Chair

Don Doerr presented the AIC Report and Recommendation below:

TO: Tate Condominium Board of Directors

FROM: AIC Committee

Don Doerr, Diana Gardener, Christine Sauer, Lauren Dame, Joan Hudson (Chair)

SUBJECT: Asset Investment Committee Report

March 16, 2023

Balances as of March 16, 2023

Savings and Money Market Accounts $279,677.84

CDs with 2023 Maturities	$255,835.72
CDs with 2024 Maturities	$542,537.54
Total TCD investments	$798,373.26

Reserve Replacement $1,078,051.10

Asset Acquisition Fund TBD

Balances per Institution

Oregon Community Credit Union	$175,396.08
Washington Federal	$139,033.73
SELCO	$234,478.52
Northwest Community Credit Union	$241,741.35
U.S. Bank	$128,320.55
Summit Bank	$159,080.87
Total Money Market and TCD Assets	$1,078,051.10

All balances must remain below $250,000 per institution and be FDIC insured.

Early in March 2023, all CDs earning below 3.00% were liquidated and these funds were reinvested into significantly higher interest rate CDs as follows:

Oregon Community Credit Union	$97,996.75	CD	10/1/23	13 months	4.75%
Oregon Community Credit Union	$75,290.11	CD	11/1/23	8 months	4.75%
Northwest Community Credit Union	$60,128.59	CD	1/14/24	13 months	5.00%
Northwest Community Credit Union	$156,708.32	CD	3/30/24	11 months	5.00%
Washington Federal	$45,455.42	CD	3/31/24	13 months	4.15%
U.S. Bank	$128,320.55	CD	8/2/24	18 months	4.10%
Selco	$118,464.60	CD	3/30/24	13 months	5.25%

(Penalties Paid on these transactions = $6,068.64)

CDs which were not liquidated and reinvested:

Selco	$82,548.86	CD	10/3/23		3.00%
Selco	$33,460.06	CD	5/23/24		3.30%

Planning:

The AIC will be discussing recommendations to the BOD for the CDs maturing in 2023. This includes the $79,677.84 in the Money Market accounts above the recommended $200,000 cash on hand for ReserveReplacements and Repairs for 2023. The total amount being discussed for new investment will be approximately $335,513.56. Interest paid will alter this amount during the next few months.

Recommendation to the BOD: Transfer $80,000 from the Washington Federal money market account into a CD with U.S .Bank at 4.45% for 19 months.

Respectfully Submitted

Joan Hudson, Chair

(as submitted in writing by Joan Hudson)

Building: At this date, the Building Committee is being reformulated

Anne DeLaney presented an update on the request from BRIXX Development Company that The Tate allow it to bore under The Tate's East property in order to make way for EWEB underground electrical service to its proposed Self-Storage Building. It is clear that granting such a request would result in clear and considerable immediate disruption as well as long-term physical jeopardy to The Tate's property and best interests. The Board is in the process of consulting a Land Use Law Attorney with respect to the substance of the request and the existing easements to which the BRIXX Company has referred in making its request. After considerable discussion, Anne asked the Board to construct very clear questions for its Attorney since it is apparent that the consensus view within the Board and the HOA is to deny the BRIXX request unless legally obliged to grant it.

Social: Ginger Fifield, Chair; Mary Okief, Co-chair

Mary reminded the Board of the upcoming "Friday at Five" get-together on Saint Patrick's Day. She also mentioned that Helen Kaufman is firming up plans for a "Paint and Sip" event and will announce the details, by email, to all residents and owners. The Committee is also brainstorming the idea of providing a "Welcome Basket" with special information and little gifts to New Owners and Residents as they come aboard. Jim Weston reminded Mary that there is a Tate Homeowners Guide which might be included. Mary acknowledged that the Committee is giving attention to the Guide and its inclusion.

Art: Nicki Maxwell, Chair

There was no report given at this meeting.

Landscape: Jim Maxwell, Chair

Plants are showing Spring awakening. Spring bulbs in blossom.

We have a concern about the open access to our neighbor on the south. Currently, there is a large opening to gain access to the neighbor's sidewalk.

We encourage you to use the trail to get there and to not walk through the blueberries. Travel across their roots compact the soil and eventually damages the plants.

Our neighbor plans to eventually close the access through his property. The remaining routes to Willamette Street will be the 13th Street and 15th Street sidewalks.

March Landscape review with BMC Staff and Landscape Task Force is scheduled for Monday, March 20.

(as submitted in writing by Jim Maxwell)

Second Floor Terrace Garden: Marge Vinolus, Chair

There was no report given at this meeting.

Insurance: Dean Kortge, Chair

There was no report given at this meeting.

Budget: Hallis, Chair

There was no report given at this Meeting.

Replacement Reserve: Mark Hudson, Chair

Although there is much to address in 2023, the Committee will schedule its first meeting following receipt of the MH Engineering Company report of the contracted plan for balcony and guardrail repairs at The Tate. This report will detail pertinent engineering specifications and supervision to the Board of Directors. Also, the Committee anticipates some questions with respect to The Tate's Bylaws which will require its attention. In any case, all components slated for replacement in Year 2023, in The Tate Maintenance Plan and Reserve Study, will be reviewed and evaluated.

Unfinished Business:

New Tate Website Proposal

Dean Kortge made a motion to accept the Website Proposal and estimate submitted by PROPERTY POP and recommended by Nicki Maxwell, The Tate Website Committee Chair. The motion was seconded, discussed and adopted unanimously. The details of this proposal are recorded in the Minutes of the February 23, 2023 Meeting.

Height Warning Signage Proposal

In response to questions from the Board, Mary Okief offered explanation of all options which the Committee had considered before making its recommendation of Option #4 offered by the SIGNS NOW signage company. A motion was made to accept the Signage Committee's proposal as presented by Mary Okief, Chair, with the understanding that no order should be submitted to SIGNS

NOW until the details of the sign's location and installation can be coordinated with the pending repairs to Unit #201's balcony guardrail. It was also acknowledged, by John Fisher, that SIGNS NOW will be commissioned to install the sign. The motion was seconded, discussed and adopted unanimously.

New Business:

"Please Wear A Mask" Signage Removal

Citing the CDC's recent announcement, Dean Kortge made a motion to remove the sign "Please Wear A Mask" located on The Tate's entrance door. The motion was seconded and discussed. When put to vote, Meredith, Lauren and Mark abstained and the motion failed. It was requested that we readdress Dean's motion at the next BOD Meeting on April 20, 2023.

Motions Adopted at this Meeting:

1. Dean Kortge made a motion to accept the Asset Investment Committee's recommendation to Transfer $80,000 from the Washington Federal money market account into a TCD offered by U.S. Bank for a 19 month period at 4.45% interest rate — contingent upon John and Lauren determining that this is a favorable transfer of the $80,000 at this time. The motion was seconded, discussed and adopted unanimously.

2. Dean Kortge made a motion to accept the "PropertyPop" Website Proposal recommended by Nicki Maxwell. The motion was seconded, discussed and adopted unanimously. The details of this proposal are recorded in the Minutes for the February 23, 2023 Meeting.

3. A motion was made to accept the Signage Committee's proposal, as presented by Mary Okief, Chair, with the understanding that no order should be submitted to SIGNS NOW until the details of the location and installation can be coordinated with the pending repairs to Unit #201's balcony guardrail. It was also acknowledged, by John Fisher, that SIGNS NOW will be commissioned to install the sign. The motion was seconded, discussed and adopted unanimously.

Next Meeting: April 20, 2023 at 4:00 p.m.

Respectfully submitted,

Mark Hudson, Secretary