

## 2017/09/25 HOA Board Meeting Synopsis

September 25, 2017, 7 PM

6:57 PM - Begin recording

(I am trying to use the exact words the speakers used. But, while I am keeping the exact words spoken, I am leaving out duplicate comments, keeping those that expressed the salient points and the speaker's intent. Often the comments in their entirety are 5 to 10 minutes long and reading the entire audio transcript would be as tiresome to read as it would be arduous for me to type it. If the comments are in quotes, these are the exact words of the speaker. I am putting this explanation here to pacify my editors who'd like me to clear up the speaker's words/intent. Sometimes sentence constructions are awkward, but these are the words of the speaker. I record them as they were said)

### **Pre-meeting: (7:00:30)**

- Janine Smith - On the failure of the board to post HOA Board meeting minutes. Richard Arnold points out the importance of the amendments to the 2016 annual meeting minutes. Janine does not have notes and does not know where to get the amendments that were approved when the minutes were also voted on and approved. Richard Arnold suggests that she look at the synopsis on the community website where they were posted.

### **Opening Ceremonies (7:04PM)**

Roll Call - Marie Callerame, Pat Lambert, Tom Kelly, Janine Smith, Ron Boyce, Mark Guthrie,  
Missing - Marty Elzingre

### **Audience Comment:**

- Richard Arnold - (7:06:PM) "I'd like to comment on the financials. The people who live in Lacamas Shores are individually responsible to back up any check the board writes, **ever**. And should they have any fines for anything they do, or any legal fees for something they do, every member is responsible, **personally**. This is like a lien on your property. This idea that we are limited to a 6% annual increase is incorrect. Everything you write a check for will be paid by the membership. Special Assessments are fine, but if you get a legal judgment against you, this will not be paid by you individuals (I gesture to the seated board members), but by all the people who live in this neighborhood."

### **Proof of the Minutes: (7:07PM)**

Reading and approval of minutes of August 28. Minutes are approved

Janine is getting with Marie to finish some of the un-published board meeting minutes.

### **Report of the Officers: (7:08PM)**

President - Tom Kelley... we don't really have one just now. But, as VP. Tom is is "sitting in".

Vice President - Tom Kelly: Nothing

Treasurer - Janine Smith: 75 thousand of the reserve fund has been invested in a Certificate of Deposit. If the HOA needs the money before the CD matures, the fees will "break even" with respect to the increased interest...in 10 months. Approved, even though the investment has already been done. Reserve total is \$169,098.25. Janine mentions the passwords for the PayPal account have been given to Marie Callerame. Cindi Marrinan: objects they need to have controls in place with the PayPal similar to what is done with checks, we had two signatures with checks and with PayPal. You have just given Marie the passwords. Marie says that PayPal is only for small amounts, and the double check is that our bookkeeper will see all the charges. Janine says that she gets daily notification by PayPal on any charges. There is some discussion on setting limits on charges that have not been authorized a vote of the board.

Secretary - Marie Callerame: Says that the PayPal account is only being used for the iPage and the dropbox account expenses.

### **Report of the Committees: (7:14PM)**

- ALCC - Some discussion of the picnic area tables. Mr. Barrett: You were supposed to get back to me a month ago, but you have not.
- Boat Ramp Committee - Ron Boyce: we should be done at the end of this week. Some discussion on what is/will be done.
- Common Area Land Use Committee - Marie Callerame: The picnic area project is on hold... waiting for city approval. Ron Boyce: On the meadowland park project. Ron met with the city for about an hour about what needs to be done. Quite frankly, they are not really willing to help us a whole lot. It's like pulling teeth to get them to agree to certain things. But we'll see. Marie Callerame: Do we need to consider reaching out to someone for help with the city? Ron: that's for new business. Capitol Replacement committee: Janine Smith: Some meetings. The exercise equipment will wait till next year. Cindi Marrinan points out that there are state standards that need to be met.
- Reserve Study - Ron Boyce, a discussion of re-doing the existing study. Janine Smith is preparing a presentation on that issue when it becomes clear. Some items are on a 25 year spread sheet... others are/should be on a 30 year spreadsheet. A long, complex discussion follows: Common Sense versus How Accounting Works. Mark Guthrie: Let's get reality right first, then we'll work on the accounting terminology.
- Member Communication Committee - a discussion on newsletters and the HOA website.
- Social Committee - Janine Smith: The sock hop only cost \$221.49.

- Traffic Safety Committee - Marie Callerame: We should be getting new signs tomorrow. Complaint about speeders at the Michaelbrook entrance. A new sign? Marie will talk with the city about putting our signs on the city light poles. To and fro on various interpretations on legal issues.

### **Old Business: (7:44PM)**

- Proposed Tree Policy - Mark Guthrie: Comments to the board have come in. A discussion on how to interpret the results follows. To and fro on the history of the tree policy To and fro on various motions. To and fro on various legal exposures to having an “official” policy. Everything is repeated three to five times. Finally, the board votes to rescind any policy that might have previously existed. More discussion on the policy/non-policy they have just voted on. Tom Kelley: Tom says the the CC&Rs and the “Deeds of Dedication” circa 1989 contain sufficient authority to guide neighbors and the board without an official policy. *(Tom is wrong about this. A law suit of October 29, 1993 titled “Appeal from the decision of shoreline management review committee granting permit revision of permit #c-2-87” asked that the view easements in the deeds be voided as they violated the Shoreline Management Act. This appeal became the basis for the out of court settlement with the developer, Vanport, re-instating his conditional use permit to develop Lacamas Shores.)* Tom proposes a “white paper” to the association membership to explain the resolution. There is a discussion on what a “white paper” is. It is finally resolved NOT TO HAVE A TREE POLICY. (Based mostly on lack of CC&R definitions and the legal exposure of taking sides in neighborhood disputes where the HOA has no clear right or obligation to act. *(This is exactly the decision of 2006/07/18 HOA board meeting... 11 years ago. Exactly the same issues, the same discussion, the same decision... that we may not have a policy where we have no authority or guidance from the CC&Rs.)*) Mark Guthrie finishes up by saying how pleased he is with the way the board acted on this issue.

### **New Business: (8:07PM)**

- Planning and Land Use - Ron Boyce: “I feel It would be helpful to get a Land Use attorney in helping us deal with the city. There is a certain amount of burden of proof on us, they don’t have to prove anything. And I think we need a land use attorney, review some of these documents and to get a legal opinion on that. The city will listen to something like that.” Some discussion on fees. Ron has some friends that will give him some free time. Marie Callerame: A motion? Tom Kelly: No... just an agreement from the board to look for opinions without incurring any costs. Without tying up any funds... “We need something in our hip pocket, I think....The city seems to be throwing some things at us that are not appropriate for our application.” Ron Boyce: I’m not asking for any funding right now. Motion: Authorizing Ron to consult with a land use attorney. A budget of \$500 is proposed... later removed. Passed: Ron is authorized to look for a land use attorney but has no authority to spend any money.

- Meadowlands Park - Ron Boyce: “I would like, at least, to go on record a motion for of 30,000 to 35,000 dollars for the maintenance and restoration of the bio-filter storm system.” Some discussion. Pat Lambert: “Are you making a motion?” Yes... Marie Callerame seconds. Janine Smith: “In my recent review of Washington Law in regards to the reserve fund/study, we can’t spend money from the reserve fund on components that are not in the reserve study.” Marie: “Wait, wait... that is not the law.” Some discussion. Perhaps making the Meadowlands Park, etc. part of the reserve fund solves this problem? Janine will research. Mark Gillespie: ...is mowing the grass routine maintenance, or is it part of the reserve fund? More discussion. A review on past board actions. Removing the trees killed by the new development on Michaelbrook is mentioned... The money... some 10,000 dollars came from the reserve fund?... No, it came from normal maintenance funds. Marie Callerame has done some research that seems to allow the use of reserve fund money to pay for unforeseen expenses. Ron Boyce: “We’ve got quotes on much, effective, we feel it would cost to restore that back to the original. That’s between 30,000 to 35,000 dollars. (Someone: what do you mean by original?) Back to grasslands where it filters properly, rather than the water running on top, which is what it is doing now. Which means you have to get rid of the trees there, they are destroying that grassland, the grasses won’t grow in the shade. So that’s what has happened over time. Originally it was a grassland. Originally they came in, logged it off, they scraped it down, graded it down, gave it a 5% slope. Grasses, there were a few trees... a few saplings, pretty much it was grassland. Cindi Marrinan: Asks for clarification... what area are you talking about? Ron says: ...behind my house. Cindi Marrinan says: “If you look at the pictures, there were trees behind your house. The only area that was grassland was like right behind the soccer field. I have the pictures.” Ron says that is besides the point. *(To see the trees behind Ron’s house from 1991 to the present, look at the movie on the [Lacamas Shores Community Facebook page](#).)* The motion: Set aside \$35,000 for restoration of the wetlands from the reserve fund. **PASSED** with one nay vote (Mark Guthrie). Mark Guthrie: ... before we had \$175,000 in the reserve fund... now we have obligations for \$200,000... how can we do this without a special assessment? Marie Callerame talks for a very long time and I can not understand what she is saying. I do not think she is answering the question just asked. Some question about what was just voted... Was it a commitment to spend the \$35,000 on Meadowlands Park, or was it a vote to add Meadowlands Park to the reserve fund components and figure out how to pay for it later? *(What was just passed? I’ve listened to this 3 times now and here is my guess: My guess is that the \$35,000 for restoration of Meadowlands Park was approved by the HOA board and will be added to the Reserve Fund as a new component. They may or may not actually spend anything on it till they get clarification from the city on what they are allowed to do, and what they believe they may be required by the city to do.)*

- Fines & Fees - Marie Callerame hands out a new schedule. No vote tonight. Request for memorial bench in the soccer field. A letter is read. Motion to approve the bench at the member's expense. **PASSED**, with the proviso that the ALCC must also approve.

**Adjourn - (9:04PM)**

**The Executive session:**

- CC&R Non-Compliance/Property Maintenance

**Executive Session Summary**

The board is obliged to put in their "official minutes" a summary of any decisions made in the executive session. This board has never done this.

Further, this board continues to overuse executive sessions. if you look at the Washington State RCWs on open meetings and the reasons listed for having executive sessions, you will see what topics need to be in closed sessions and which topics are discussed in open sessions. Generally valid topics for closed sessions are litigation, neighbor vs neighbor disputes, and allegations of crime. The topics and questions to be decided in a closed session need to be stated before the meeting begins and the decisions made are given after the closed meeting is over. The decisions are public and need to be in the minutes. Topics that are merely contentious are not valid for closed meetings.