

Complaint #20

Relegated member participation to 5 minutes
at the start of meeting and never reports
on comments made

Policy went into effect at April 2017 meeting but is not mentioned in official board minutes. The synopsis for July 24, 2017 mentions the policy after being questioned by Linda Harnish.

HOA Board Meeting Synopsis 2017/07/24

2017/07/24 HOA Board Meeting Synopsis

July 24, 2017, 7 PM

7:03 PM - Begin recording

(I am using the exact words the speaker used. But, while I am keeping the exact words spoken, I am leaving out duplicate comments, keeping any 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 record would be as tiresome to read as it would be arduous for me to type it. Some comments are in quotes, and while longish, these are the exact words of the speaker. Catherine wants me to point out that Mark Guthrie's seems to be quoting Catherine Arnold's reasons for keeping the community web domains. But, he is not quoting Catherine: they are his words, not Catherine's. I am putting this explanation here to pacify my editors. Sorry for the awkward sentence constructions, but they are not my words. I leave them as spoken.)

Opening Ceremonies (7:21 PM) Marie is late

Roll Call - Marie Callerame, Pat Lambert, Tom Kelly, Marty Elzingre, Mark Guthrie, Ron Boyce (By phone).

Missing - Janine Smith

Proof of Notice - Reading and approval of minutes of May 15.

Minutes are approved.

Audience Comment: (Marie Callerame is late for the meeting.)

- Linda Harnish - (7:10) asks why the audience requests/comments are not part of the minutes. Pat Lambert says that "Robert's Rules of Order" does not require that audience comments be recorded... only items getting a vote are recorded in the minutes.
- Casey Watrous - (7:11) is concerned to learn that a registered sex offender is living nearby and he had not been informed till just recently. What to do? Much discussion. Casey is seeing a lawyer on possible actions he can take to protect his young children. The board asks him to keep the board informed.
- Richard Arnold - was not allowed to speak. Pat Lambert said they'd run out of time. I wanted to have them answer my question to the board at the last meeting on the Ontkean settlement: It seems that the board broke two Washington state laws, the HOA contract with the City of Camas, and ignored the clear requirements of our CC&Rs. At the last meeting, I read the laws, etc and gave them hard copies of the documents. They promised me an answer by the time of

the next meeting, and they did not keep their promise. I asked the board how they interpreted the laws, contract with the City of Camas, and CC&Rs such that they had the authority to transfer ownership of Common Area to the Ontkean's for a patio extension. They appeared to do it in clear violation of the limits these laws, contract and CC&Rs put on HOA board authority. Tom Kelly, as board parliamentarian, said that they would get back to me. All I got back was an email stating that they'd consulted a lawyer, the vote was unanimous, and I was not respectful. Well, the seven members of the board signed away ownership of the common area property... not any lawyer. Neither the seven board members nor any lawyer had the authority to do what they did. Under attorney/client privilege, we have no right to know what questions were asked of the lawyer, and no right to hear what the legal opinion was. And, for what it is worth, I've consulted a lawyer too. I lived next door to one for several years and he gave me all sorts of advice on many topics. Whatever legal advice I've been given... my actions have always been my own. (The topic of the Ontkean settlement took up about 30 minutes of the annual HOA meeting.) I did not get a chance to ask the board for the clarification they'd promised. So I am giving it here in the off chance they may see it and remember that they promised me a clarification/explanation, but did not do so.

- **Report of the Officers: (7:22 PM)**

- President - nothing noteworthy
- Treasurer - nothing noteworthy
- Secretary - nothing noteworthy
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- **Report of the Committees:**

- Boat Ramp Committee - Ron Boyce met with the city to get an extension before moving forward with the Fish & Wildlife folks. We can get an exemption if the total cost is less than \$6,000. The bids, so far at least, are more than \$6,000. Perhaps reducing the scope of effort will lower the bids.
- Common Area Land Use Committee - Marie Callerame has had the Bailey's clean up the picnic area. We have to get a proposal ready before the pre-application meeting with the city (for extending the cleanup effort into the trees between the lake and the picnic area.)
- Member Communication Committee (Domains Update) - (7:29 PM) Mark Guthrie has a PowerPoint presentation on the HOA suit against Catherine Arnold over her domain names. (Catherine Arnold and I dispute much of Mark Guthrie's presentation. Mark seems to quote Catherine, but they are his words and not what Catherine said. Where Mark tries to read her mind

and guess her intentions, he is wrong. Catherine asked to meet and talk with Mark Guthrie before the ICANN/WIPO suit, but Mark turned down her request. There are serious omissions, errors, and misstatements in Mark Guthrie's presentation. Catherine and I will decide later how to answer them.)

- A Timeline:
 - In 2002: the first domain name <lacamasshores.org> for social stuff. In 2004: That web site became the official web site of the HOA. In 2012: a problem with the ISP, and Catherine got a second domain name <lacamasshores.com>. The two domain names are essentially merged into one site. In 2016: Catherine bought a 3rd domain name <lacamasshoreshoa.com>. But Mark does not know why or for what purpose. (It was to serve as a testbed for taking on-line credit card payments for the annual assessments.)
 - In May 0f 2016: Catherine resigns from her position as the web master for the HOA's part the board's information of her web sites. Mark does not know what was going on... but, the disputes start. (7:33 PM) "Catherine says that: It's my opinion that I started <lacamasshores.org> and <lacamasshores.com> as my personal web sites. I hosted HOA official information for 12 years, but I now I don't want to do that anymore. So, I'm going to take my web site back and no longer host information, I'll post on the bottom that it is no longer the "official" web site and I'm just going to post my social/personal information on that web site." Also at the time, the board believed that because there had been some reimbursement over time and that it had hosted HOA material for 12 years... that the sites were not her web sites, but they belonged to the HOA board."
 - In the spring of 2017:... the confusion continues. Mark offers to contest the domain ownership of the web sites with WIPO. Binding arbitration. \$1500.00 one time fee. The WIPO result is passed out. First, the easy decision: <lacamasshoreshoa.com> is given to the HOA. Second, the other two domains belong to Catherine.
 - Now here is where we are: the web sites the HOA we'd used for 12 years do not belong to us. WIPO cannot address any contractual issues the HOA may have. Contractual issues are for a court of law to decide. Mark faults the transition from Catherine to the HOA for the neighborhood confusion. What is the cost to the HOA to resolve these issues. Costs to promote, build, run the HOA web sites. Cooperation would have been nice, but while Mark does not know the why of these failures, the cost to the HOA is \$1,500 or more. While the HOA cannot reclaim the domain names (because of agreeing to

“binding arbitration), a possible next step would be to begin litigation to recover the HOA’s costs to build their own site.

- (7:48 PM) Pat Lambert, the worst about this is the inability to communicate with the neighborhood and the costs to the neighborhood so far are over \$2,000 more.
- Marie Callerame says, “We have tried to reach out to reconcile with Catherine, but it has not worked out.”

Old Business:

- Amended Tree Policy Discussion - Still being revised by board; will be shared with the community for feedback before vote by the board. (This was the stated topic of the June 6th working meeting in the picnic area and also of the June 26 board meeting.) Marie comments that same approach of soliciting feedback from the community before the board vote will be used for Meadowlands Park Project.

New Business:

- July 4th – Thank yous! - (7:50 PM) Everything was fabulous.
- Discussion of a Voluntary Meadowlands Revegetation Fund - (7:52 PM) Marie Callerame: when we come back from the city and see what they want us to do... then we go to the people and get their comments... and see what we want to do.
- Fines & Fees policy 7:52 PM) - Should we have one big fine for the first offense or small fines with incremental increases for continuing violations. \$3,000.00 if you cut down a tree without permission: a single big fine. Incremental small fines for garbage left outside overnight. “We want our fines to be motivational.”

- The issue of Meadowlands Park - (8:05 PM) - Marie Callerame says: This issue for most folks is one of cost... “Most folks do not care one way or another.” A Special Assessment is almost impossible to do... We need to get a voluntary fund set up... We need to separate the money issue from what we want to do with Meadowlands part. The most cost effective plan is a clear-cut. That would cost ~\$30,000 to do. Everything else would cost more. Marty Elzingre says: that the Reserve Fund cannot be used. Only enumerated projects can use money from the Reserve Fund. “If you get the money from private funds, I’m for it. So long as you also address the ongoing maintenance costs.” Pat Lambert says: “and it depends on what the city will let us do.” Marie Callerame says: that the city requires that we follow the Shorelines Preservation act mandates... and that requires a 200-foot buffer from the lake shore. That’s from the lake shore up to the basketball hoops in the picnic area.
- More on What can we do about child molesters - (8:14 PM) Casey Watrous asks if “we” will publish a notice on “both” the web sites if it is legal and proper. He says, “If the HOA will do nothing to protect my family, I will do it. The whole point of it is about coming together as a community to raise a critical issue... of safety for our children.” Much discussion, shared concerns. The board agrees to speak with the HOA lawyer.
- Adjourn - (8:28 PM)

The Post- Adjournment discussion:

- Casey Watrous asks me (Richard Arnold) to send any errant emails (especially ACC requests) that come to our community web site be sent to the board. I tell Casey that I will do anything I can do to help Casey with this problem.
- I also tell Casey and all those remaining after the adjournment (and still listening to this conversation) that the board in 2016/05/05 demanded that we take down all email routing from our community web site and that disabled the neighborhood WATCH, the BACKFENCE, and the ACC form. Catherine emailed the board that she would do as they asked by 2016/05/15, and she did.
- Pat Lambert says : “That is not right.” I tell Pat Lambert that his failure to remember the May 5th meeting means nothing. I remind Pat that I have the audio recording of the meeting and copies of the subsequent emails from and to the board on the subject.

- I remind Pat Lambert that since he is still here, and still has a board quorum at this meeting, and if he still cared about this confusion, he could vote to repeal that prior board demand (by Matt McCants and Marie Callerame), and allow the community web sites to re-route any errant email, etc for the people who are still “confused” by the new “official” web page. Pat Lambert does not answer.
- I ask Marie Callerame whether she remembers that Catherine helped her with the ACC form. (The old ACC form could be filled out online, locked against further changes, and with a push of a button on the form... mailed to the ACC committee.) Catherine modified the “old” ACC form to route ACC requests to the “official” web site lacamasshoreshoa.org and gave the revised form to Marie. Marie says that “this is not something that should be discussed in the public eye.” I tell Marie that Catherine has retained the emails with Marie. Marie has just now blamed the “ failed transition” for all her problems with her “new official web site. I remind Marie Callerame that we all just heard a 20-minute discussion on the confusion between the “Old” Community web site and the “New” Official web sites. Mark Guthrie said that the difficulty Marie Callerame had in the transition from old to the new web sites was caused by Catherine’s lack of assistance. Mark Guthrie said that the board was now considering whether to sue Catherine Arnold for the cost of Marie Callerame’s efforts to create the new web site. I also ask her to remember how she claimed that she had “...reached out to Catherine for help...”, etc and she just now made that statement in public again. I tell the audience, who are still there and listening to this exchange, that I have the emails and meeting recordings to prove all this. The confusion with the “official” HOA web site is entirely the board’s doing. Catherine offered to help in a transition to a professional service but was turned down by the board. (Catherine has offered to write up a posting of the board’s demands and their refusal to accept help in the transition.)

The Executive session:

- CC&R Non-Compliance/Property Maintenance
- Domain names update

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.

Adjournment