

February 7, 2017

Dear Fellow Homeowners,

Did you know that at the November meeting of the HOA Board of Directors, **the Board amended the HOA By-laws and revoked the right of homeowners to vote by mail, email or other form of electronic transmission** for any proposals being voted on or election of directors or officers? This right is allowed by the Revised Code of Washington in RCW 24.03.085, but only if it is permitted by our governing documents. In 2015, the then-current Board recognized the importance of – and need for – allowing members of our community (especially the dozens of snowbirds) to vote by mail, email or electronic transmission and amended the By-laws at that time to provide for that right. Our current Board has now undone the 2015 amendment changes and returned the wording to essentially what it was in 1988 when the By-laws were first adopted and the concepts of email and the internet had barely made a blip on the public’s radar. In the state of Washington, all state and federal elections and votes are conducted by USPS mail – it’s irresponsible for an HOA to not allow voting by mail, email or other form of electronic transmission.

Why would the Board do this? Since they’re still allowing proxy voting, the only reason that makes sense is they hope you will assign a Board member as your proxy if you can’t be at a meeting where a vote will be taken. Our current Board is dominated by former members of the Restore Lacamas Shores Team (RLST). They have already ignored the wishes of the community expressed on last year’s ballot and **authorized the expenditure of \$5,676** to hire a consultant to tell them who has jurisdiction over our wetlands. They’ve said publicly that last year’s ballot was just an opinion poll, and as a Board they can do whatever they want (even though they’ve adopted the other five of six items on the ballot). **That consulting contract is \$600 more than the entire assessment increase (\$5,060) for the 2016 fiscal year. All indications are, that’s just the beginning of their plans.** Imagine what they will do if they can collect dozens of proxy votes.

This is not the only change to the By-laws that was implemented with the November update – just the most egregious. To view a copy of the Bylaws with all the changes highlighted, you can visit the community information website, lacamasshores-community.com or continue reading (beginning on the reverse side) for a summary of changes that are concerning. If you do not agree with any changes that have been made by this Board, please tell them so by sending an email to board@lacamasshoreshoa.org and copy LacamasShoresNeighbor@gmail.com so that the level of concern can be fairly judged.

**Don’t wait** – the 2017 annual meeting materials will be sent out very soon. **The Board can still move to reinstate voting by mail, email or electronic transmission at the upcoming Board meeting on February 13, 2017 at 7:00 PM at the Parker Road Fire Station.**

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Scan the barcode at the right with a QR reader app for quick access to the Lacamas Shores Community Information website



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## **OTHER CHANGES TO THE BY-LAWS:**

**Article III - Purpose** The Article has been completely restated to read as follows:

This Association is formed to provide for maintenance, preservation and architectural control of the residence Lots and Common Areas, including but not limited to private roadways and wetlands as such lots and common areas are designated on the recorded plat or plats of Lacamas Shores Development and to promote the health, safety, protection and welfare of the residents within the Development; to preserve, protect and improve the quality and character of the Lacamas Shores Development, and to do everything necessary, proper, advisable, and/or convenient for the accomplishment of this purpose

Consider the phrase "to promote the health, safety, protection and welfare of the residents". With this wording, couldn't the HOA potentially be blamed if someone falls on a sidewalk and breaks a leg, if there's an accident due to speeding since the issue has been brought up several times, or if someone's home is burglarized since the community voted to no longer hire a holiday security service. And what about the statement that the "Association is formed to provide for maintenance ... of the residence Lots..." Couldn't this be interpreted to mean the HOA is accepting responsibility for keeping our yards manicured? Surely this is not what was intended, but it is a poor job of wording that could have unfortunate consequences if tested with a lawsuit.

**Article VIII - Powers, Section 4a-2** The wording has been changed to remove the word "roads" from what assessments can be used for! Was this an oversight or simply the Board being short-sighted? In fact, monies in the Reserve Fund can be used for road repair, but this change could be construed as preventing that.

**Article VIII – Powers** [of the Board of Directors], **Section 4a-9** Changed wording indicates that if a management company would be hired by the Board, it would be funded with a special assessment approved by the members. This seems a rather foolish statement since (a) each year the Board would need to secure approval of a special assessment from the homeowners before signing a new management services contract for the year; and (b) the homeowners have never approved a special assessment, thus making it very unlikely a management company could ever be hired. Although it would still require Member approval, wouldn't a one-time increase in the assessment over the 6% maximum per year simply make more sense?

**Article VIII - Meetings, Section 6c** and **Article X - Notices, Section 1** In both cited paragraphs, the wording has been updated to allow email notification to Members – either for notification of a special meeting or when notification for some other situation is required. If they're allowing email to be used in these instances, shouldn't Members be allowed to vote by email?

The last paragraph above the signature lines says:

The undersigned Directors of the Lacamas Shores Homeowners Association hereby certify that the within amended By-Laws were duly adopted by the Directors of the Association as the By-Laws of the Association at a meeting of Directors duly held on October 17, 2016 and executed at a meeting of the Directors duly held on November 28, 2016.

This is not only interesting, but also troubling, since the adoption of the By-laws most certainly did not take place during the public portion of the October 17<sup>th</sup> meeting. In fact, at that meeting they discussed and agreed to a member comment period. Further, only four Board members were technically present that night (not the 66-2/3% required by the By-Laws) until Kalani Davis, Janine Smith and Pat Lambert were

appointed at the end of the meeting to fill the three vacancies resulting from Board resignations. These new folks wouldn't even have seen the proposed changes prior to being appointed to the Board. At a minimum, this is just careless work; at worst, it's deceitful.

Last, but by no means least, the members of our great community need to know that at the January meeting one of the items on the agenda was "Amendment to the Articles of Incorporation (Tabled Currently)". This amendment is intended to prevent the By-laws from being amended in the future unless approved by a majority vote of ALL members. That would be a travesty, as it would make it virtually impossible to reverse the ill-considered changes this Board has put in place.

We applaud the current Board of Directors for taking the initiative to update the By-laws and remove outdated references to Vanport Manufacturing, the Developer of Lacamas Shores. However, we have concerns with many of the changes that were made and are calling upon the Board to re-examine all the changes, not just those referenced above. **Even one of the newly-appointed Board members expressed concern about disenfranchising some HOA members by not allowing us to at least vote by mail – the very same right we have as citizens of Washington state.** This shouldn't be allowed to happen. Not everyone is comfortable designating someone as their proxy!

We recognize that the Board did invite community members to comment via two different email blasts (which don't reach the entire community) – one on November 13<sup>th</sup> where notice appeared below the announcement of the newly appointed Board members and two other articles of limited interest; the second on the day of the meeting. While even these notices were not technically required, it is disappointing for a Board which espouses "trust and transparency" that a document clearly showing what changes were being made was not shared with the community before being enacted. Instead, the revisions were summarized on the last page of the proposed By-laws document where, it should be noted, the changes revoking our right to vote by mail were not fully stated, but were indicated with an ellipsis. **This is a serious change**, though the Board President downplayed it at the November meeting. We encourage all homeowners to view a clear picture of the full changes that were made on [lacamasshores-community.com](http://lacamasshores-community.com).

**Please ACT NOW and let the Board know you are concerned about their actions.**

With sincere regards,

Concerned Lacamas Shores Neighbors ([LacamasShoresNeighbor@gmail.com](mailto:LacamasShoresNeighbor@gmail.com))