

SCHOA Board Meeting Minutes for Thursday, January 9, 2020, 7:00 pm

Totem Falls Elementary Library

Members in attendance: David Albers, Maureen Miller, Tricia Cooke, Desiree Lothyan, Keri Newby, Chris Birchman, Denae Bastian, Phil Bastian, Jason Leander, Abbie Long, Susan Ridley, Grace Jarchow, Tami Zevenbergen, Anthony Rudolph, Michelle Haneberg

Meeting called to order at 7:03 pm. All three board members were in attendance, so a quorum was reached. No executive session was needed.

Michelle Haneberg made a motion to approve the meeting minutes from the December 12th meeting; Anthony seconded the motion. The motion carried 3-0, with a confirmation that Phil's memo be attached.

Financial Report

Anthony Rudolph gave a financial report, including that dues are staying the same this year at \$375. Invoices will be sent out soon. The dues may have to be raised in the future to add more money to the reserve account. There was a discussion about the reserve study and what it entailed, what the reserve study professional recommended per month for deposit into the reserves, and the amount we are currently putting in (\$2,000 per month). The board has some items they want adjusted in the study and plan to speak more with the reserve study professional about them. The board needs to further digest and will report on the study at greater length at a future meeting. It will also be posted on the website.

Archey's Landscaping	\$4343.06
PUD	\$134.85
Reserve Study Group	\$1395.00
Secretary of State	\$10.00
Snohomish School District	\$100.00
USPS	\$134.00
Silver Lake Water	\$71.00

Election Committee

Tami Zevenbergen mentioned that we are putting together an Election Committee to help us develop an improved process for the upcoming annual meeting election. The group will be an independent advisory group. All members are welcome to be involved. Abbie Long volunteered to be on the committee in addition to Chris Birchman, Desiree Lothyan, and Jason Leander.

Annual Meeting for 2020

Our next Annual meeting will be held in March. Tami Zevenbergens appointed position will be up for re-election. Once elections are complete, the Board will meet to determine the role of each Board member. meeting. . Anyone interested in running should contact the Board.

Meeting Notification & Illegal Meeting

There has been disagreement as to whether a vote taken at the December meeting was legal based on the most current state statutes regarding board meeting notice (& agenda). There is a disagreement among the board as to whether an agenda is required to be sent (via both email and mail) 14 days before every board meeting. Anthony passed out the new law in question, RCW 64.90.445. (see attached) In section 2f under "Meetings", his interpretation of the text is that as long as a board meeting is scheduled, there does not need to be an agenda provided 14 days in advance. Tami Zevenbergen agrees. He stated that the same RCW later expresses, if it is seen as the board doing something wrong, it holds up unless it goes to court and the judge overrules it. Tami stated that board meetings are really intended for the board to take action, not for members to take action. An agenda IS legally required for an Annual Meeting because members are voting and need to know what they are voting on. Members are not voting at Board meetings. Tami believes that sending an agenda via email and mail for EVERY board meeting, when it is not required is very time intensive and costs the Association a lot of money - mailing 100 homeowners before each monthly meeting. Tami and Anthony believe it is good practice for the Board to provide an agenda to homeowners on email notification when possible, at least 72 hours in advance, but it is not a legal requirement and would not make the previous meeting or vote to hire a 2nd attorney "illegal". They have sent an agenda and notice to homeowners on email notification for all other meetings prior to this instance. They were unable to provide notice at the last meeting because they were waiting to hear an update from Phil Bastian on the documents project to determine how best to move forward. Since two of the three board members agreed on the interpretation of the RCW, the December meeting and its vote stands. The vote was to move ahead with the hiring of an independent attorney to review the revised governing documents. Since these documents have not been provided to the board by Phil Bastian, a decision must be made as to the next steps to be taken.

The board can fully agree that providing notice, even if not required is certainly good practice. Michelle Haneberg asked members how many days in advance they would like to see a reminder with an agenda. Answers ranged from 72 hours to 14 days. Tami Zevenbergen

suggested hiring an attorney experienced in HOA law for their legal opinion to resolve the difference of opinion on Notice (w/an agenda). Tami expressed concern with the topic being an ongoing issue without it.

Revision Team Update

Phil Bastian reported that all three documents are complete and ready for homeowners to review. Phil has spent many hours on this project along with the team and feels that he does not want his work to be picked apart by the board or another attorney. With two of three board members wanting the documents reviewed by another firm, a draft did not seem sufficient. A more polished version was needed. This created a need for more time. Phil indicated that the documents are his work and the team's work. They do not belong to the board. The team does not need the board's permission to take their work to the members and get it passed. He is done with deadlines. He did however express a willingness to take the documents to another attorney to discuss them, along with another board member. Phil agreed to meet with the board to determine the next steps.

Tami Zevenbergen stated that we need to find out from members in the room how to move forward. She and Anthony are trying to move forward. She stated that she joined the revisions team a year ago to get involved, see how she could help with the process. Deadline after deadline has been missed. Last month, after being told several times that the documents were "complete" she and Anthony requested the completed documents or documents as-is, so that they could make a decision as to how best to move forward in completing the project. Documents still haven't been provided. She asked at what point do you draw a line and pursue another solution?

The Board agreed to meet with Phil Bastian to try and find a way to move forward together.

Anthony Rudolph announced that the Annual Member Meeting will be in March and that a regular board meeting will be held in February

Requests were made by homeowners in attendance to resolve the obvious contention on the board. There has been constant disagreements that do not reflect well for our association.

A request was made for people to please shovel their sidewalks, especially near the school to increase safety for children. Also, keep your storm drains clear so water can get through and we avoid flooding on the streets.

The meeting was adjourned at 9:05 pm.