

**Lacamas Shores Homeowners' Association
Board of Directors' Meeting
Minutes**

Date and Time: Monday, July 25, 2016 at approximately 7:05 PM

Type of Meeting: Regular Monthly Meeting

Location: Parker Road Fire Station, Camas, WA

Participants: Matt McCants (President), Tom Kelly (Vice President and ALCC Liaison), Marie Tabata-Callerame (Secretary), Ron Boyce.

Absent: Charlene DeJong (Treasurer), Steve Marrinan (City Liaison), Steve Nelson.

Audience: Richard Arnold, Robert Price, Steve Bang, Patrick Lambert, Peter Gecho, Shari McCants.

The President Matt McCants called the meeting to order at approximately 7:05pm, **called roll** and confirmed a quorum. **Proof of Notice** was stated as by email to the Board members, emailed to homeowners, and posted on the website and Nextdoor.com. While the purpose of the meeting is to conduct Board business, comments are accepted on agenda items from Homeowners.

Approval of the Minutes – The second draft of minutes for the Board's June 11th meeting with City Administrator Peter Capell and City Manager Robert Maul has not been completed but will be before the next meeting and posted on the website, so approval was tabled. **Matt moved to approve Draft 3 of the minutes of the June 27, 2014 regular Board Meeting.** The motion was seconded and passed unanimously.

REPORT OF OFFICERS:

President's Report – Matt received the **replacement cluster mailbox unit** for Lake Road and has reached out to a couple contractors for installation but could use some other references. He has the post office's requirements to provide and would like to move quickly on this. The affected homeowners have had to drive to Washougal to retrieve their mail. We have already received the insurance check. Cindi Marrinan is working on replacing the bushes.

The Board brought a thank you card for Sarah Bang for heading up the **2016 July 4th Celebration**. They stated "Thank you for all your hard work and dedication to our lovely neighborhood. Words cannot express our gratitude for your stepping up to fill our need and saving the 4th of July Celebration." The Board mentioned the many thank yous expressed on our website and nextdoor.com

Treasurer's Report – Char had been expected but was unable to make it to the meeting. The Board members present had not seen the **June financials** via email nor in the dropbox. There

was nothing expected to be out of the ordinary. We do not have the July 4th expenses, but they are expected to be at or under budget.

Regarding the **bank account signatories**, to add Char as a signatory Unitus Bank asked for meeting minutes listing the Board Members replaced, the new Board members and the new officers. Char presented the March 2016 Board Meeting minutes showing the new officers, but that was not sufficient. The rest of that information will be in the Annual Meeting minutes from March 2016, which had not been completed by former secretary Steve Nelson. The Board has received no indication as to when those minutes will be completed. Our accountant has submitted the annual business registration which should be processed shortly. Current signatories are our accountant Lorrie Conway, Linda Harnish, and Elaine Foster. [The new business registration filing was enough.]

The only special expenses submitted were the preparation costs for the July 4th Celebration last month, which was under budget.

REPORT OF COMMITTEES:

Architectural and Landscape Control Committee (ALCC) – Running as usual. There was a question of a possibly diseased tree in the common area reported by Steve Bang. In the past, the HOA had an arborist stated that it could be topped or remove it, but there is no cost estimate. While it appears there something wrong with it, there is no information that there is an imminent threat of damage. The tree is approximately 150-200 feet tall. Tom will look into getting a cost estimate.

Website Update – The email hyperlink in the ALCC form did not seem to consistently work for all browsers and so we have revised the form for comment. The actual email is typed next to it the name on our website. Marie welcomed suggestions.

Welcome Committee – Marie met with Rita Haller for help revising the welcome letter for new Homeowners. Rita is out of town and could not attend this meeting. Rita has been welcoming new Homeowners into the neighborhood over a decade. She waits for the new Homeowners to contact her and then sets up a meeting and then provides them with a gift and useful information about Camas, Clark County, Washington, and the Portland metro area along with helpful brochures for businesses, attractions, churches, health clubs, parks, etc. In the past, Rita has greeted an average of three households per year – we have an annual average of 12 move in. Marie has created a welcome email that goes to new Homeowners through the email system, since it seemed that not everyone was made aware of Rita's services.

Throughout the years, Rita was authorized to spend a maximum of \$45/gift for each household greeted. Last year sometime, Linda Harnish told Rita that in order to save money, the authorized amount dropped to \$15/gift. While Rita has not greeted anyone since that change, she stated that it is difficult to find an appropriate gift for that amount in the colder months (plants work in the summer). It was noted that first impressions of our neighborhood are important. Marie moved that the Welcome Committee be authorized to spend \$45/gift. The motion was seconded and passed unanimously.

Boat Ramp Maintenance – Dirk Swanson, the builder of the current dock, was invited to submit cost estimates for fixing the dock. There is no update from Steve M. Matt had forwarded to the Board a sample project requesting bids for the San Juan Islands as an example of a similar project and we can watch it to get some cost estimates. Discussion ensued about concrete planks. Any work should be done when the lake is drained. They discussed another Rock Work Party Saturday. Peter Gecho offered to help with the temporary fix of the berm. Marie moved to authorize Peter Gecho to check with the City of Camas for approval to use his machinery to pull the rocks creating the powerloaded berm back into the original hole, and to do so once approval is granted. The motion passed by a vote of 3 ayes and one abstention (Matt McCants).

There was discussion about the ease and cost efficiency of using stone terra ultrablock panels where the rocks are to extend the ramp. They come in 4'x8' to 8'x8' panels and are 8" wide. Ron will check on costs for the panels. They are textured so they will not move. Peter would be willing get it done as long as his equipment is still in that area, so it would need to be soon.

Steve M had printed and hung the temporary boat ramp warning signs Marie created but not the permanent sign yet. Marie offered to do so.

Traffic Committee Status – No update provided – tabled until the next meeting. Steve M had volunteered to go with Casey Watrous and talk to the City again to ask for additional stop signs to be installed. The City had previously declined to install additional citing no traffic incidents. Tangentially, Marie noted that Eric Hoff knew of an LS Homeowner that was planning to buy their own radar sign and were going to speak with the City about it.

Common Area Jurisdiction RFP/RFQ – The Board discussed a draft of the RFP for consultants and best estimate for a jurisdictional determination or delineation. Tom's draft had been revised by Marie and changes were discussed. The Board determined that the delivery date would be August 1st and the end date would be September 1st. It was noted that we should get a spectrum of small and large contractors and that the City provided a list of consultants they use. Contact information should also be added. The RFP will allow consultants to provide costs and ideas as what they think can be done. Matt will prepare a list of consultants and send the RFP out. Matt moved to approve the proposal as amended. The motion was seconded and passed unanimously.

Membership for New Committees

At the last Board Meeting, Marie listed the names of various volunteers interested in serving on the new committees. Some Board Members asked more information to be submitted by those volunteers. In that follow-up, some volunteers dropped out. The Board discussed the volunteers and approved as follows:

- Matt moved to appoint Kathleen Price, Gary Henderson, and Robert Huckvale to serve on the Internal Audit Committee. The motion was seconded and passed unanimously. [Robert has since declined]. It was noted that Marie shall notify all committee members. These committee members will need to get together with Lorrie Conway, our accountant and act independently of the Board to conduct their audit.

- Matt moved to appoint Gordon Morrison and Denice Musleh to the ByLaw Update Committee. The motion was seconded and passed unanimously. Tom will be the Board Liaison for the Committee.
- The volunteers initially interested for Strategic Planning and Homeowner Engagement Committee have either changed their mind or have volunteered for other committees as well. Marie suggested that the Homeowner Engagement part of the committee be given to the Members Communication Committee, especially the survey. While Strategic Planning is very important, communication is more urgent at the moment. The Board agreed to table appointing members to this committee.
- Matt moved to appoint Karen Stanley, Steve Bang, Casey Watrous, and Board Secretary Marie Tabata-Callerame to the Members Communication Committee. The motion was seconded and passed unanimously. The Board agreed that the committee should take over the care of the website and be charged with the Homeowner Engagement part of the Strategic Planning and Homeowner Engagement Charter.
- Matt moved to appoint Steve Bang, Pat Lambert, Frank Haylett, Bob Price, Susan Stuck, Jim Callerame, Eric Hoff and Peter Gecho to the Common Area Land Use Committee. [Jim Callerame has since declined]. The motion was seconded and passed unanimously. It was noted that the Board had previously discussed having a relatively larger group for this Committee. Candidate Chuck Martinez has experience dealing with the Dept. of Ecology and the US Army Corp of Engineers and is willing to be a resource but is unable to be a committee member at this time. The committee will pick its own Committee Chair. It was also noted that Board Members Matt, Tom, Steve N, Steve M, and Marie were all interested in this committee as well. This committee will make recommendations to the Board.
- Matt mentioned that while technically the President is a member of all committees, each committee should have a Board liaison. Board Members are encouraged to attend committee meetings. Matt thanked Marie for all the work she did to coordinate with the 15+ volunteers to create these committees. Getting this many Homeowners involved and interested in helping the neighborhood is a good sign.

Common Area Planting Plan for Behind the Gecho Property – Peter Gecho is having trouble finding Dogwood trees that are 4” in diameter at this time of year. He has all the other ten trees (oaks and maples) and two of the 4” Dogwoods, but is unable to locate the other 8 (found at 3.5” diameter). Suggestions were to 1) change species, 2) plant them and wait for them to grow, or 3) continue searching and run the risk of delay. Peter is receiving pressure from the City and from the vendor regarding the time and is trying to get a practical plan approved by the Board.

There was discussion about the ALCC’s role and the money held in escrow until the plantings are completed, and the aesthetics of the number of trees. Peter noted that none of the trees currently approved trees will look good in the winter. Alaskan cedars are not tall and give a better aesthetic. Peter plans to be completed with the landscaping in 4 months or less.

It was noted that at the last Board meeting the discussion of the same property was about the number and size of trees – species was not the issue. In light of the new information about the lack of availability of the approved trees, Marie moved that the Board approve a plan allowing

for the 8 dogwood trees to be replaced by different small trees of the same diameter of Mr. Gecho's choice. The motion passed by a vote of 3 ayes and one abstention (Matt McCants). Peter will resubmit his plan and any other necessary paperwork for signature accordingly and should start planting.

NEW BUSINESS

On the agenda was an update from Steve Marrinan regarding a **conversation with Peter Capell as the City Liaison.** A Homeowner was requesting information regarding a 2-hour conversation with the Pete Capell, the City Administrator. While Steve M was not present, it was noted that he had emailed an update stating that he had not had a 2-hour conversation with Pete Capell. Steve M wrote that he had asked Pete for references/consultants for the wetland study and Pete had referred him to Robert Maul, both calls of which took no more than 4 minutes. There was discussion as to what a Board Member or City Liaison can or cannot appropriately discuss with the City in an official role versus as an individual Homeowner with personal opinions. It was agreed that this was not worth further inquiry by the Board.

Also on the agenda was an update of the a **Shoreline Protection meeting** [aka "the Shoreline Erosion Prevention Project"] that Matt was invited to with representatives from the Washington State Department of Ecology, the Washington House of Representative Liz Pike, Pete Capell for the City of Camas, wetlands biologist John McConnaughey, and a few other Homeowners. Steve M had asked for an update since he learned of the meeting the day before it happened. The project was started by Steve Bang and Tom Kelly before Tom was a Board member. They walked Heritage Trail June 14, 2016 to observe the current conditions, trends of lake erosion, and its effect on our lake shore, the trail, the boat dock, and eventually our property. There is a 6 foot drop off from the trail to the lake. Discussion revolved around 1) what can be done to prevent it further trail and property erosion, 2) how can it be done cost effectively, and 3) where can money be obtained. It was noted that the trail exists is because Shipler donated the land to the City to maintain. While City property, it is part of our community and we do not want to lose it. This project is a good candidate for grant money. Rep. Liz Pike asked for a proposal for grant money from the City so she can submit it for grant money. Pete Capell stated that this falls under the Parks Department. The Board thanked Steve Bang for his dedication to this project.

It was agreed that, while not an HOA project, the Board has a vested interest to support such a project. Marie moved that the Board should provide a statement of proactive support for this project. The motion was seconded and passed unanimously.

They are currently looking into federal, state and local funding options and actions to stop and possibly repair erosion damage to our Lacamas' shore. If you would like to help out with this project, please contact Steve Bang. This is not an official LS HOA project, however we are happy to inform our members as interested citizens of Camas.

Tom added new business. Tom moved that we ask the City of Camas if we can proceed to manage and maintain our storm water facility as provided by the Stormwater Partners of SW Washington in 2011 in the publication entitled "[Managing Stormwater, An Introduction to](#)

Maintaining Stormwater Facilities - for private property owners and HOAs. There was discussion as to whether there was a down-side to asking the question. Meadowlands Park contains a "treatment wetland" as mentioned on page 14. It was noted that there are very specific actions defined as routine maintenance that have not taken place other than in the swale and sediment pond. The motion was seconded and passed unanimously.

Tom added another item of new business. There was discussion about removing Steve M as the City Liaison and prior actions and statements. There was concern that the HOA's viewpoint is being improperly represented to the City. Marie stated that if this discussion is to continue that it move to the Executive Session. Matt noted the President is part of every committee or liaison and that last year there were two liaisons to the City, himself and Steve M. Tom moved to appoint Ron Boyce as an additional City Liaison. Marie noted that since Steve M is not always at the meetings and sometimes has a strong opinion opposite that voted on, it is logical to appoint additional liaison. The motion was seconded and passed unanimously.

Steve Bang requested the Board to consider nullifying the March 2016 ballot measures that were "illegal", in light of both Steve N and Steve M citing the ballot measures as reasons to not do maintenance and in accusations that the Board is ignoring the neighborhood.

Marie stated that it is good to address the accusation that the Board is ignoring the poll taken in the minutes, because it is false. The main job of the HOA and the Board is to protect property values. In doing so, one of the biggest issues that ever to come before the Lacamas Shores HOA and the Board is the property value decrease attributed to view loss. The ballot measure that went out as a polling question was illegal because it violated the CC&Rs, but that does not mean it will be ignored. Section 2.7.1 of the CC&Rs states that "The owners, by and through the Homeowners' Association are responsible for maintaining the wetlands of the Lacamas Shores Development, which shall be considered a common area. The Homeowners Association shall make an apportionment and assessment of expenses of maintenance repair and/or restoration of the wetlands as provided in the provisions herein. " Our CC&Rs continue to say that ". . . the lot owners . . . shall remain jointly and severally liable for the monitoring, maintenance, repair and/or restoration and construction of the wetlands."

Thus, the Board has a duty to maintain the wetlands but has stated that the wetlands cannot be touched without City approval. Yet the City requires a wetlands expert to go further, and therefore the Board has no choice but to continue to move forward to find out what our options are from professionals. The Board is not at a point of spending money, but the Board must do due diligence research before closing the book on this issue or opening new chapters.

Matt agreed. He noted that he had stated at the April Board meeting that the Board has the authorities given by the CC&Rs. That specifically included holding voting for Board members and waiving of the annual audit. Otherwise, anything else was an opinion poll.

It was noted that the ballot measure was not fully vetted and had many assumptions and fallacies in it. However, we need to move past the past and conduct business as necessary and vet this issue.

Tom found a **maintenance plan from 1988**. He will provide a copy to the rest of the Board. There were no standards, though many people are concerned that we may need to meet the current wetland treatment standards if this issue is brought up. Marie stated that according to a conversation she had with a Homeowner who is a developer and currently working with the Army Corp of Engineers on wetland issues in Oregon, the permit obtained runs with the lands and the standards within the permit granted are what needs to be maintained unless you are asking to reopen the permit in a non "de minimus" way.

EXECUTIVE SESSION

Matt thanked people for coming and the meeting was adjourned at approximately 9:22 pm for a break. When the meeting reconvened, all audience members were gone and the Board adjourned to an **Executive Session** at approximately 9:25 pm in order to discuss complaints regarding properties, ethics complaints, Ontkean litigation update, and domain names. During the ethics complaints discussions, Board Members left the room during the final discussions of the specific complaints against them.

The Board returned from Executive Session to the Regular Session at approximately 10:40 pm.

Marie moved to approve the Executive Session Minutes from June 27, 2016. The motion was seconded and passed unanimously.

Matt moved to draft and send Compliance Letters to the Winters, the Nytes, and the Richards regarding maintenance of their landscaping. If the work is not completed within 30 days, the HOA will plan to do the work and the Homeowner will be liened. Marie will draft the letters. The motion was seconded and passed unanimously.

Marie moved that the Board develop a complaint form to receive complaints from Homeowners reporting violations of the CC&Rs. The motion was seconded and passed unanimously.

The Board found no violation regarding complaints against the Moses and Mr. Wiley in 2016. Marie moved for the Board to consider both matters closed. The motion was seconded and passed unanimously.

Ethics Complaints:

Regarding the ethics violation complaints of

1. **Dave Patterson against Marie Tabata-Callerame,**
2. **Linda Harnish against Marie Tabata-Callerame,**
3. **Dave Patterson against Tom Kelly,**
4. **Dave Patterson against Matt McCants,**
5. **Linda Harnish against Matt McCants,**

Based on the Executive Session discussions, the following motions were made [not necessarily in this order]:

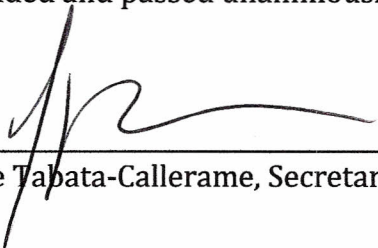
- Matt moved that "The Board of Directors finds that no specific provisions or instances of unethical behavior were cited in the complaint nor found, nor does evidence show intent to act unethically or against the community's interests."

- Matt moved that "The Board has determined that the Board has no power or authority to disqualify a Homeowner in good standing from Board candidacy or membership, nor remove them from the Board." Tom later made the same motion on a similar complaint.
 - Tom moved that "The Board of Directors has determined that the evidence as to who had possession of a missing proxy was inconclusive and did not show intent to act unethically."
 - Matt moved that "The Board has determined that the Code of Ethics does not apply to Homeowners who are not Board or Committee members at the time of the action in question."
 - Tom moved that "The Board of Directors has determined that an HOA member's decision to run for a Board position is not confidential Board information."
 - Matt and later Tom moved that the Board of Directors now considers these matters closed.
- All motions were seconded and passed unanimously. The complainants will be informed regarding each matter.

Domain Name Confusion:

The inability for Homeowners to get information and get in touch with the Board via our website due to domain name confusion has become a problem. Matt moved to draft and send a letter to Catherine and Richard Arnold with attachments to regain the domain names that have been purchased and paid for by the HOA.


Marie moved to adjourn the Board Meeting at approximately 10:54p.m. The motion was seconded and passed unanimously.



 Marie Tabata-Callerame, Secretary

8/22/16

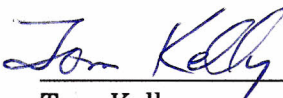
 Date



 Matthew McCants
 President

8/22/16

 Date



 Tom Kelly
 Vice President/ALCC Liaison

8/22/16

 Date

 Charlene DeJong
 Treasurer

 Date



 Ronald Boyce
 At-Large

8/22/16

 Date

 Stephen Marrinan
 At-Large/City Liaison

 Date

 Stephen Nelson
 At-Large

 Date