

## Tides West HOA Board Meeting

March 18, 2023

Location: Margie Smith's House

10:07 AM Meeting called to order

In attendance (in Person unless noted):

- Presiding Officer: Tim Reed (President)
- Secretary: Eric Killian
- Board Members: Carryl Dazey-Brown, Margie Smith
- Tide's West Members: Tamara Kuhn (Via Zoom)

Reports:

- John provided updated financial report (see below) – approved 4-0
- Tim reviewed Architecture Committee report verbally – approved 4-0

Updates and Discussions:

- Input from Members:
  - Email received from Patricia Clark Finley
  - All board members received and read it; topics addressed within discussion as they came up in rest of Agenda.
- Reviewed budget and reserves.
  - Consensus that we should have an analysis of reserves to estimate how large they need to be. There isn't a legal requirement, but the State recommends that HOAs have a 30-year projection for their reserves. Obviously, we can't predict exactly what will need to be repaired and when but we can make an educated guess to have a baseline to work from.
  - Proposal to have a committee meet to do an estimated 30 year timeline. Tim to meet with John to see if he can lead this.
- Reviewed Proposed guideline for Member participation in Board Meetings
  - First agenda item at every Board Meeting will be opportunity for Member input – any Member who wishes will be allowed to raise any issue or question – as long as they adhere to standards of meeting conduct (attached).
  - Last agenda item at every Board Meeting will be opportunity for Members to comment or ask questions of any topic raised during the meeting.
  - Note: Tides West is governed by RCW 64.38. Section 64.38.035 simply states that meetings "Must be open for observation" by members. It says nothing about input, so our policy goes beyond what is required.
- Reviewed status of Past Due Members and discussed policy for collecting.
  - 7 Members owe for 2023 – presumably they will pay – none have a history of not paying.
  - 2 Members owe more than 2 years (\$390 & \$3843) and give no indication they will pay.
  - 1 Member owes \$200 in past fines – they pay their annual dues; they are disputing the fines.

- We investigated the options we have to collect:
  - Foreclosure if balance due becomes large enough.
  - Going to small claims court and getting a judgment.
  - Rely on Title Companies who check for balance due with the HOA whenever a property sells.
  - File a Lien – this must be done each time we wish to change the amount.
  - One note on Liens, our current By Laws say we shall file a Lien every June on any past due balances. That language will need to be changed to something like “may file a Lien” rather than “shall file...”.
- Recommended Policy
  - Rely on Title Companies for past due amounts under \$500.
  - File a Lien when the total amount due reaches \$500.
  - File an updated Lien every time the balance due hits a multiple of \$500.
- Discussion of proposed By-Laws changes and need for Legal review.
  - Member in Good standing qualification for Board positions
    - It was brought up that RCW 64.38.025 states that the Board may not determine the qualifications of Board Members. This is correct, the proposal is a change to the By-Laws, it will be voted on by the entire membership, not something the Board is currently implementing,
  - Proposed change to charge for each lot vs. each Member.
    - Notes:
      - The question of number of votes (per lot, per owner?) was brought up. The Articles of Incorporation state that each owner can only be 1 Member and each Member can only have 1 vote, so this can't be changed.
      - Consensus around option to assess full amount per Tax parcel – define a Unit as any lot that is available to be occupied, each Unit pays the full annual amount, for example if two lots have been combined into one Tax parcel they can no longer be independently occupied and count as 1 Unit, a vacant lot with a separate Tax parcel can be sold or developed independently and counts as a separate Unit.
        - A few sample scenarios
          - A House sits on Lot A, garage sits on adjacent Lot B, the two lots have been combined into one Tax parcel - this is 1 Unit and they would pay 1 annual due.
          - A House sits on Lot C, the Member owns adjacent Lot D which is a separate Tax parcel – this is 2 Units and they would pay 2 annual dues
          - A Member owns 3 adjacent vacant lots which are 3 sperate Tax parcels – this is 3 Units and they would pay 3 annual dues.
      - Question of Grandfathering current owners?
        - Consensus is ideally there is no Grandfathering, change would take effect for following year after a vote. Recognition that it would be easier to change if Grandfathering of current owners was included.
  - Consensus that these two proposals require Legal review and especially advice about Grandfathering.
    - Deferred decision until May meeting when a discussion with all Board Members can occur – will evaluate how many lots are affected and what the change in dues collected would be and determine if it is worth the cost to pursue.
  - The rest of the proposed changes are all minor wording things that we are confident can be done without a legal review.

- Will ask By Laws Review Committee to present two options at May meeting, things they think can be done without legal review and what they think requires review.
- Discussion of feedback for Archive Committee
  - Consensus that any records that need to be kept and available to members on request must be stored locally, this is generally documents and records from the last seven years.
    - One option we would like to explore further is using the storage shed at the park. It would need to be cleaned out, several of us volunteered to attend a work party to clean it out if needed.
    - For additional protection the boxes can be placed in plastic containers with lids, we have 4 boxes and 2 of them are already in containers.
  - Older documents being kept for just historical interest can be stored remotely; Biggs Insurance in Vancouver was volunteered as an option.
    - This brought up a question – if we don't need to keep things for member access do we need to keep them at all?
- Tim clarified status of 2022 CC&Rs
  - Recorded version with title page, signatures and county stamp is on the county web site and can be accessed by anyone.
  - Any Member who wants a physical copy can request one by asking via the email link on our web site and they will be provided a physical copy.
- Brief discussion of ability to serve food at annual meeting.
  - Need to investigate further – will discuss at next meeting.

#### Motions

- Approve 1/21 meeting minutes – motion carried 4-0.
- Tim to create committee to estimate reserve funds needed for 30 year timeline – motion carried 4-0.
- Approve proposed policy for Member participation in Board Meetings (attached) – motion carried 4-0.
- Motion to adopt Lien policy – motion carried 4-0.
- Motion to defer Legal review decision until May meeting – motion carried 3-0, one abstention.

12:15 pm meeting adjourned.

Next Meeting May 20, 2023 – Time and location TBD

## Budget vs. Actual - Cash Basis From Aug 2022 to Mar 2023

Financial Row	Amount	Budget Amount	Amount Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
3000 - Annual Dues	\$11,500.00	\$12,000.00	(\$500.00)	95.83%
3100 - Boat Space Rental	\$240.00	\$280.00	(\$40.00)	85.71%
3200 - Interest Income	\$0.84	\$2.00	(\$1.16)	42.00%
3300 - Late Fees	\$60.00	\$0.00	\$60.00	0.00%
<b>Total - Income</b>	<b>\$11,800.84</b>	<b>\$12,282.00</b>	<b>(\$481.16)</b>	<b>96.08%</b>
<b>Gross Profit</b>	<b>\$11,800.84</b>	<b>\$12,282.00</b>	<b>(\$481.16)</b>	<b>96.08%</b>
<b>Expense</b>				
4000 - Annual Meeting	\$0.00	\$75.00	(\$75.00)	83.95%
4020 - Computer and Internet Expenses	\$89.32	\$106.40	(\$17.08)	0.00%
4030 - Donation	\$500.00	\$0.00	\$500.00	94.48%
4040 - Electricity - Lights	\$125.92	\$133.28	(\$7.36)	109.44%
4050 - Electricity - Park	\$437.77	\$400.00	\$37.77	2325.00%
4060 - Filing Fee	\$232.50	\$10.00	\$222.50	66.99%
4070 - Garbage	\$223.32	\$333.36	(\$110.04)	117.83%
4080 - Insurance Expense	\$2,733.70	\$2,320.00	\$413.70	0.00%
4200 - Legal Fees	\$0.00	\$200.00	(\$200.00)	39.11%
4500 - Office Supplies	\$29.33	\$75.00	(\$45.67)	194.46%
4520 - Park Maintenance	\$3,305.81	\$1,700.00	\$1,605.81	144.00%
4540 - Postage and Delivery	\$180.00	\$125.00	\$55.00	96.64%
4560 - Property Tax	\$120.80	\$125.00	(\$4.20)	101.69%
4620 - Water	\$406.75	\$400.00	\$6.75	<b>139.68%</b>
<b>Total - Expense</b>	<b>\$8,385.22</b>	<b>\$6,003.04</b>	<b>\$2,382.18</b>	<b>54.40%</b>

<b>Net Ordinary Income</b>	<b>\$3,415.62</b>	<b>\$6,278.96</b>	<b>(\$2,863.34)</b>	<b>54.40%</b>
<b>Net Income</b>	<b>\$3,415.62</b>	<b>\$6,278.96</b>	<b>(\$2,863.34)</b>	<b>95.83%</b>

## **Tides West Association Member Participation Policy**

### **Meeting Conduct and Order of Business**

The board will follow the posted agenda in conducting board meetings. However, either the President or a board member may request additions or changes to the prepared Agenda.

### **Public Attendance and Comment**

Any member of the Tides West Community Association may attend board meetings either in person or by Zoom. The board recognizes the value of public comment on Association issues and the importance of involving members in its meetings. In order to permit fair and orderly expression of public comment, except for emergency situations, the board will provide a period at or before every regular meeting for public comment.

Members may submit questions, comments, and suggestions on any topic at any time using the Tides West Association web page. The whole board will see the posts and will either respond directly to the member and/or place the item on the agenda for discussion at the next board meeting. This medium may also be used to request that particular items be included in the agenda for the next board meeting.

At the beginning of regular board meetings there will be an opportunity for public comment from members in attendance either in person or by Zoom. During public comment period, members may address the board on any topic which is on the agenda and that falls within the scope of the board's responsibility. Comments must make a specific point and adhere to the standards of civility discussed below.

The board will allow three to five minutes per speaker at the beginning of the meeting. Any structure the board imposes will be content neutral. There will also be a brief time for public comment at the end of the meeting. The secretary will have the option of including comments and speakers in the official minutes of the meeting. Individuals will identify themselves and proceed to make comments within the time limits established by the board.

The board is not obligated to respond to questions or challenges made during the public comment period and the board's silence will not signal agreement, endorsement of, or disagreement with the speaker's remarks.

The board may control the time, place, and manner of public comment.

The President may terminate an individual's statement when the allotted time has passed and may interrupt a speaker to require the same standard of civility that the board imposes on itself.

Examples of uncivil comments include but are not necessarily limited to comments that:

- Are libelous or slanderous
- Are an unwarranted invasion of privacy
- Are obscene or indecent
- Constitute harassment, intimidation, bullying, or discrimination;
- Create a material and substantial disruption of the orderly operation of the board meeting

The board has the final decision in determining the appropriateness of all such rulings and will exercise its authority to maintain order.

In addition to the public comment period at the beginning of the meeting, the board may identify the agenda items that require or would benefit from opportunity for public comment and provide those opportunities as part of the meeting agenda before taking final action.