

SLOA Board of Directors Meeting

March 21, 2017 ~ 10:00A.M., SunLand Gathering Place

Board Members Present:

Fred Smith, President
Tom Merrill
Missy Church-Smith
David Jelin
Steve Loska

Phil Merlin
Jac Osborn
Bobbie Piety

1. Public Comments

- a. Basketball hoop removed- nuisance
- b. RV lot insurance
- c. Trees to help maintain/ protect property views
- d. Lloyd Taylor requested to have his letter to the board to be recorded in minutes

2. Call to Order

- a. Fred Smith called the meeting to order at 10:00A.M.

3. Approval of February 21, 2017 BOD Meeting Minutes

- a. Unanimous approval.

4. President's Report

- a. Lloyd letter to be recorded in minutes
- b. Audit concluded and forwarded to board
 - i. The forensic audit covered the last 3 years
 - ii. No issues with personnel or vendors
 - iii. Given recommendations to follow
 - iv. Money is well spent
 - v. Recommended every three years
 - vi. Board is fiscally responsible
- c. RV Storage
 - i. Contract for new gate, requested 3 weeks' notice before work begins
 - ii. Require less maintenance
 - iii. Items may need to be moved or relocated during installation
 - iv. New gate being installed as a safety issue
- d. Trees
 - i. Consulted with 3 arborists
 - a. Trim back from fence
 - b. Discussion left is to determine what height
 - c. Trim from trunk to fence
 - d. Unknown if any of the trees are dead
 - e. Replace if they die
 - f. No guarantee
 - g. Discussion of Division 17 boundaries and responsibilities
 - h. Requested to submit to board any suggestions
 - ii. Motioned by Fred Smith
 - a. Second by Phil Merlin
 - b. Motion Pass
- e. Budget

- i. Year budgets will be coming out in May for coming years' budget

5. Committee Reports

- b. Architecture, Jac Osborn
 - i. See Attached
- c. RV, David Jelin
 - i. See Attached
- c. Communication, Missy Church-Smith
 - i. April 15
 - a. Quarterly newsletter
 - b. See Attached
- d. Recreation, Tom Merrill
 - i. See Attached
- e. County coordinator, Roads, Security, and Parking, Phil Merlin
 - i. See Attached
- f. Greenbelts, Parks, Property Maintenance, Steve Loska
 - i. No report
- g. Rental Coordinator
 - i.
 - a. Complaint of tenant revving engine
 - b. Contact tenant/ landlord
 - c. See attached

4. Old Business

- a. Nuisance
 - i. Larry Burbach regarding noise
 - a. Basketball
 - ii. What determines nuisance
 - a. Time
 - b. Decibel and volume
 - c. Safety
 - d. Enforceable by law
 - i. From 10:00 pm to 9:00am
 - ii. What police will act on
 - e. Daily life activities unenforceable
 - i. Various fumes, exhaust, noise
 - iii. Communicate and cooperate
 - iv. Grievance committee define for next BOD meeting

Meeting adjourned at 10:53 A.M.

Minutes Respectfully Submitted by Richelle Wilhelm

Attachments:

1. Letter received from Lloyd Taylor

March 15, 2017

Mr. Fred W. Smith and The SLOA Board
President
Sunland Owner's Association
135 Fairway Drive
Sequim, WA 98382

RE: notice of SLOA Board errors and omissions

Mr. Smith,

As a Member of SLOA it is my intent, via this letter, to notify you, and thereby the SLOA Board, of the administrative errors and omissions regarding SLOA lot 207 during the period January 2000 to April 2015. I herein request that the receipt of this letter be recorded in the minutes of Board and that it be retained as SLOA record.

After considerable research and several meetings with you and Board members of the Sunland Golf and Country Club, I have acquired pertinent documentation including Clallam County Auditor document files, past and present versions of SLOA's CC&Rs, SLOA's Bylaws, Washington State statutes, and your email of March 3, 2017. This documentation, in particular your email, supports my claim that your response to my question, "did the golf club pay dues on lot 207 between 2000 and 2015?" is fundamental to the examination that follows.

- Your written answer to my question: "...the answer is no and there are not any due."
- In 1974 Auditor's file (429567) the plat of SLOA Division 8 was recorded and under Dedication and Restrictions all property within the plat is subject to SLOA's Articles, Bylaws and Covenants.
- In 1993 (1993-0689238) records show that there was a formal inclusion of Division 8 into SLOA by the prescribed 2/3 majority vote.
- Every Amendment to SLOA's CC&Rs since 1993 to present includes under Exhibit A the inclusion of Division 8, inclusive of all its lots, including lot 207.

e From 1993 to present No Record Exists that either exempts the owner of lot 207 from any or all of SLOA's CC&Rs.

- From 1993 to present No Record Exists that removes lot 207 from SLOA e In 1999/2000 the record (2000-1043349) (the record was re-recorded due to an error) shows that Sunland Golf and Country Club became the owner of lot 207 and was therein bound by SLOA's CC&Rs as an owner/member. ● In 2015 (2015-1319150) the record shows that SLOA's purchased lot 207 from the Golf Club.

- SLOA's CC&Rs Art. V, sec. 1 Members. "Every owner shall be deemed for all purposes to be a member of SLOA" This citation was unchanged during the period of the Golf Club's ownership.
- SLOA's CC&Rs Art. V, sec. 5 Dues. "Each member shall be required to pay dues to SLOA at the time, frequency and manner and in the amount fixed by the Board of Directors. Failure to pay dues will result in sanctions as set forth in Article VIII." This citation was unchanged during the period of the Golf Club's ownership.
- The Auditors files, between 2000 and 2015 record that SLOA's Board filed liens against ten SLOA properties under Article VIII of SLOA's CC&Rs.
- SLOA's CC&Rs, Art. XII, sec. 1 "All of the covenants, restrictions, reservations and servitudes set forth herein shall run with the property. The guarantee by accepting a deed or contract...."

The Record is unambiguous. Lot 207 has always been part of SLOA, since it was platted in 1974. The golf Club became the owner of lot 207 in 2000 and remained so until spring of 2015. Throughout its ownership, the Golf Club was subject to SLOA's annual dues assessment but it never paid those dues owed, nor was it ever subject to a lien for dues unpaid. By omission or error every Board and every Board member serving between 2000 and 2015 is responsible for not collecting, or attempting to collect, dues on lot 207. As such, they were inattentive to their duty as Board members and did not fulfill their responsibility of care.

This is far more than an exercise in research which uncovered a collective administrative error. Over fifteen years the SLOA membership was denied thousands of dollars of revenue by this omission and they have a right to have that loss returned to SLOA. By whom and by what means remains to be seen.

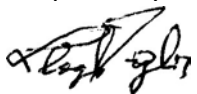
Over the years there have been conversations wherein misstatements of fact and references to nonexistent actions on the part of parties involved have had the effect of confirming the belief that no Board action was required. Obviously, the record lends itself to a fact-based account of the current situation and calls for action on the part of the SLOA Board to right this wrong.

Bringing this matter to the attention of SLOA's attorney and SLOA's E&O insurer would be prudent first steps, now that you and the SLOA Board have this notification in hand. This situation is troublesome at best, but it will become more dire, if action to resolve it were to be delayed. At some point the inattention that created this situation needs to be erased attention that will now repair the damage.

Time, in a legal sense, is not in abundance. I urge the Board to actively engage their attorney, in the resolution of this matter, before the windows of opportunity begin to close around you.

Thank you for your attention. Again, I herein request that the receipt of this letter be recorded in the minutes of Board and that it be retained as SLOA record.

Respectfully,



Lloyd Taylor

182 Sunland Dr. Sequim, WA 98382

REPORTS:

PRESIDENT'S REPORT

March 21, 2017

This month seems to have been a catch up month with the employment of Ricki and trying to rebuild all the mail lists, RV structure, the audit report and starting the budget process for next year.

There are several items for discussion during the upcoming meeting. The most important is the audit, but that is based on our receiving the final report. To date, it has not been provided but Jenn is pressing the company for the report.

The second is moving forward on the RV park. David has contracted with a firm to start on the gate and that is scheduled next month. We need to decide on a contract for the trees. By now all of you have taken a look at the arbor vitae on the west side. In working with Division 17, the best method at this point seems to be trimming the inside of the trees from the fence line back to the trunk of each tree. This will provide room for the fence without eliminating the visual wall Div 17 would like to maintain. We need to make a decision to leave the height of the trees alone or trim them to a standard point about two feet above the fence. This will all be tied into David's contract with the tree company.

We will be providing each of you with budget proposal forms for next year. What these will incorporate will be the current level, past expenditures and room for any projects you may recommend or that are needed. After you receive the forms next month we will need them back within two weeks so we can compile them into the first recommended budget. We will at that point have time over May and June to work your recommendations into the final budget and set the dues figures for next year at the July meeting. This will give us the necessary time to formulate the ballot to be sent out in August. What I would like all of you to do before the April meeting is take a look at your area for any projects you want to propose. Makes no difference on the size, large or small, we need to look and see what will need to be included and make some decisions.

Fred Smith

President

Committee Reports

Architectural , Jac Osborn

Hello Fellow Board Members.

March roared in like a Lion and is still roaring. Same O, same O,.....more rain and wind and wind and rain. Nothing to report except the same as last month. Keeping busy with the applications, nothing serious. Should you have any questions, just give me a call.

Regards,

Jac

SLOA Communication Board Report, March 2017, Missy Church-Smith

SLOA Website

- Web design company contact out of town till end of March; she will contact Ricki and Missy when she returns.
Discussion points:
 - Access for posting and updating site for Ricki
 - Explore possible Members Only site (cost, password protection)

- Division pages
 - Emergency Prep Plan
 - Owner roster
- E-mail forwarding to specific committees, BOD members
- Based on survey results, no apparent need at this time to redesign website; updating and possible additional pages are proposed.

SLOA Newsletter

- Phase out printed newsletter. E-distribution and accommodation for those without e-mail.
 - Ricki is compiling list of SLOA members and their e-mails - contacting those without e-mail addresses.
 - Once full e-list is in place, we can move to e-distribution.
 - Monthly savings – postage, printing
 - Opportunity to include links
 - More frequent distribution as needed

RV Storage, David Jelin

Applications for storage continue to arrive, many are incomplete, missing proof of registration and or insurance. These applications will be compared to items stored, focusing on registration tabs on plates, condition and overall length.

Many items stored have not had new applications submitted to date and several items, including the shed have been removed. With Ricki's work, we are finding empty spaces as applications on file were not removed or updated to reflect non-use or previous renters are advising they quit the space some time ago; applications coming in will reveal whether those empty spaces are unused or items out on travel.

There has been push-back from some residents until they realize that the application of the R&Rs is being enforced across the board; especially those subletting, or trying to sublet, to non-SLOA residents, as well as the limitation of two spaces per household.

Two "Let's Communicate" messages will be drafted; one for those with incomplete applications, and the next for those who've not reapplied. Both will contain a warning period and a remove it deadline before items are removed for impound by a tow company. These will be released once all applications currently in receipt have been entered into the database and we know where the applications and items fall.

RV Dump Station: No date yet for drying the dump station to determine the extent of the septic system. Worst-case: the field leaches too close to the nearby SWD pump station and needs to be closed off until connected to the SWD sewer system (\$\$\$\$).

Gate: Viking Fence was awarded the contract for the new single-panel rolling gate; scheduling is about one month away. Vehicles within the impact area will be told to relocate to other spaces until construction of the gate is completed and we know how the gate's support work will impact that corner of the lot.

Space and Trimming: The storage lot needs to have the spaces redrawn based upon greater number of larger items. After a redraw of spaces, notices to RV items owners will go out with new space reassignment. As items need to be removed from the lot for the trimming of the fir trees, as not one landscaper wants to do the work over the RVs, this will provide two services; first, it will prove those items stored are mobile, and second, provide the opportunity to enact new spaces, numbers and lane markings. Then all items can return to new spaces after trimming is complete. SLOA will need to grant a temporary waiver to permit parking of RVs in neighborhoods where space permits as trimming and cleanup make take a few days.

David Jelin
SLOA Board Member

Recreation, Tom Merrill

Recreation Committee activity for the past month has been a repeat of the previous three. Winter continues to call for a closed pool and limited activity on the tennis/pickleball courts.

Security & Roads, Phil Merlin

In the last few months we have been looking at the impact that a Cascadia fault earthquake and flood would have on Sunland.

We have discussed with the fire dept, Red Cross, Cert Team and interested members of the community.

At this point there does not seem that SLOA has the financial resources do really deal with this problem as it will be an overwhelming catastrophe.

For the near term SLOA goal should be education of the community in personal preparedness, Map your neighborhood and supporting the formation of CERT teams in the community.

We are still having problems with security lights and we may want next time we change rules to increase the \$25 fine

Greenbelts/Parks/Property Management, Steve Loska

Nothing new to report. I am still working with some vacant lot owners to clean up their lots. It has been a long, cold, wet winter with not much happening....

Steve

Rental Coordinator, Bobbie Piety

First, I want to thank Ricki for taking over the maintenance of our spreadsheet and taking the initiative to modify it to suit her needs. Since she will be keeping it up to date, I expect her to be able to provide us with current occupancy/ownership information if not the entire spreadsheet, as needed. Thank you, Ricki!

The past month has been quiet with two exceptions. First, a repeat of dog barking, at 129 Leslie Lane. This has been ongoing, but since the tenant has been cooperative, I have not planned to fine her. The first time, I contacted the property owner, who told her that either the dog must go or she must vacate.

She got rid of the pit bull. All was quiet for a while, and then the person behind her home complained again of barking. It turned out that she had gotten rid of the wrong dog—it was the little Chihuahua making all the racket. Once I pointed that out to her, all was well for several months, and then it occurred again. I gave her a stern warning that she WILL be fined if it happens again—no more leniency. I hesitated to impose the overdue fine because she is a single mom and told me that she was planning to move in June, anyway. If I fined the owner, he would likely evict her sooner. So far, as far as I know, the dog has been kept from barking. I've reached out to the complainer, just now, to confirm that things are quiet.

A new issue just arose, which I intend to deal with tomorrow. A resident wrote to SLOA that a plum tree from an adjoining rental property was invading their property and that of another. The property manager was notified and did an unsightly "butcher job" in cutting back the plum tree. The resident said he also has been maintaining the hedge between the two properties for 15 years and had asked them to take over, now that he is in his 80's, and nothing has been done and the hedge needs attention. I have a full day today else I would investigate immediately, but told the complaining resident that I will be there tomorrow afternoon, and will evaluate the situation, taking photos if necessary. I plan to then discuss it with our Landscape Chair, Missy, and we can decide how to handle the situation. I will issue an updated report as soon as I have more information.