

MVPCC Winter 2011 Newsletter

Winter 2011

POLICY CHANGE FOR ANNUAL DUES EFFECTIVE FOR 2012

The MVPCC annual due date for community membership dues is March 1. A \$25 late fee per year will be added if dues are not paid by March 31st.

The Board voted in May 2011 to revise the Dues Collection Policy to change the date which late fees are assessed for unpaid dues.

Weir Maintenance

The board decision to change to a 1 year trial period with volunteers (on 3 month rotation terms) for clearing the weir has been working well for the last 12 months. There have been several teams of members that have worked on keeping the weir clear during winter and spring. The volunteers can receive \$10/hr for actual work (no travel time or assessment time will be paid).

Let us know if you are interested in being a Weir Maintenance volunteer or Lead Person.

2011 Board Greetings...

Greetings Mountain View Park Community Club

neighbors! We hope everyone has had a good 2011 thus far (despite the shortage of sunny days this summer) and enjoyed all that our community has to offer.

The Board would like to extend a special **THANK YOU to the various community members who volunteered their time caring for our community this year:** Tom, Mary and Kody Morgan for their time mowing and tidying the park; Ted and the Bakers for their time mowing and doing general cleanup; and Beverly for her weeding efforts! We know there are others who occasionally spend time caring for the community as well. Your time is so appreciated as the upkeep of the park and other elements of the community are entirely dependent on time volunteered by Members. So, thank you all.

The articles that follow cover various happenings and findings of the Board of Directors throughout the year. We hope you find the newsletter informative. Please feel free to contact any one of the Board officers with any questions you have about the information in this newsletter.

Warm Regards and Best Wishes for 2012,
Your MVPCC Board of Directors



HIGH SPEED WIRELESS INTERNET HIGH SPEED WIRELESS INTERNET

As we've been mentioning, the new Verizon 4G product is available. Several community members have explored the service and are VERY HAPPY !

Quality of coverage is dependent on your location and equipment.

Check their website : <http://phones.verizonwireless.com/4g/>



2012 Board Meeting Dates:

- January 24, 2012
- March 27, 2012
- May 22, 2012

2012 Annual Meeting

**June 9, 2012
2:00 pm
Park Picnic
Shelter**

PIC

The park improvement committee (PIC) is being dissolved due to lack of community participation on the committee. Park maintenance will continue to be done by the generous volunteers who donate their time. Volunteer support is very important in the upkeep of the park. We encourage the continued use of the signup sheet for recognition of mowing, weeding etc.

Lake Kayak Update

Marisa Burghdoff, Water Quality Analyst with the Snohomish County Surface Water Management Department praised Snohomish County volunteer lake monitors (this includes those for Lake Kayak) on their efforts in collecting water samples from our lakes to be analyzed for water quality and for a special algae project. Monitoring Lake Kayak's water quality is an ongoing effort to ensure the quality of the lake water and to continue awareness of how environmental changes impact the lake's water quality and levels of algae.

Toxic Algae Updates

There were intermittent blooms throughout the summer at some lakes in Snohomish County. There was a fairly serious bloom at Lake Cassidy where the levels of one toxin, microcystin, were substantially above the state recreational standard, in fact higher than has ever been seen in any lake in the County. Thankfully all of the other lakes, including Lake Kayak, have only seen low levels of this toxin.

Shoreline Activities / Development

Development and other work or activities on the shorelines will affect any body of water. MVPCC residents are reminded to be cautious with the use of fertilizers, pesticides and other chemicals used on lakefront properties as these substances all run off into the lake and will eventually have an adverse affect on the water quality. Please also be reminded that there are specific restrictions and permits required for certain work or activities on or near a lake shoreline. If you see something you think is illegal or questionable, here are a few resources:

-If you see extensive work (for example someone with heavy equipment tearing out their shoreline) please contact Planning and Development's Service through their website <http://www.snoco.org/app/pds/codeenforce>.

-If you see activity that is affecting the lake you can also call the Department of Fish and Wildlife – 425-775-1311.

-If you see any sort of water pollution problem you can call the water quality hotline 425-388-6481 or go online to

<http://www.snoco.org/app/spw/wqcomplaint/>

For Lake reports and information go to

http://www1.co.snohomish.wa.us/Departments/Public_Works/Divisions/SWM/Work_Areas/Water_Quality/Lakes/Countywide_Lake_Information.htm

As you have heard from us in past newsletters, the board continues to take its role seriously and make progress on the governing documents project. One of the primary duties of a Board of Directors for a community association is to work to protect the common elements of the community thereby enhancing the community's assets and maximizing property values for everyone.

The CC&R Project Team and the Board continue to work on the review of MVPCC's Governing Documents to assess whether the community is adequately protected under its current documents, which were drafted in the late 1960s-70s, or if some updates are necessary to protect the overall best interests of the community.

In 2011, the CC&R Team obtained further clarification on the information received earlier from legal counsel contracted by MVPCC in order to have a clear understanding of the current status of the community's protection. With that, the Board is now in the process of reviewing this information with the purpose of determining what elements, if any, of our current Governing Documents it feels need to be updated. Although this project is still in its early stages, it was agreed at a recent Board meeting that input from the Membership would be valuable at this point. So, the Board will be reaching out to the Community in the near future with some specific questions to solicit feedback on this project. Watch upcoming newsletters, the community bulletin Board and check your email!

Ultimately, if the Board decides that any revisions to the CC&Rs or Bylaws are necessary, a community vote will be required. This is down the road a piece at this point.

Once again, the MVPCC Board of Directors understands the importance of clear and transparent communication to the membership in this process and **everyone's questions, concerns and feedback are valued and welcome**. A brief update on this project will be provided at the Annual Meeting June 9th, 2012. If you have any questions about this project, please feel free to contact Shellie Monson, MVPCC Vice-President, at shelliemonson@gmail.com.

BEAVER DECEIVER UPDATE

In September a small crew from the community worked on improving the beaver deceiver functionality and lowering the three culverts that help maintain the lake levels. The culverts help to maintain water levels so they are not too high so there is not too much pressure on the dam. The periodic improvements we've made to the beaver deceiver along with the regular weir clearing and weir maintenance help us with our responsibility to maintain the dam safety and integrity.

Enjoying a Lake Kayak snack.... (not a beaver!)

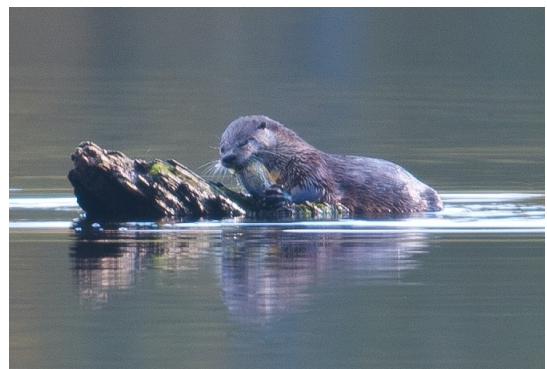


Photo by: © C.Briggs 2011, All Rights Reserved.

MVPCC's Insurance: Are Our Assets Covered?

The short answer essentially is yes. But the Board wanted to share general policy information as well as the answers gained to a number of questions asked of the community's State Farm Insurance Representative, Doug Hamilton who attended a board meeting this fall.

Agent's Background

Doug Hamilton is a graduate of WSU and has been in the insurance business since 1976. He worked as a claims adjuster, claims supervisor and manager for several years before becoming an agent in 1984. Doug currently works with over 30 clients on their Homeowner Association policies and employs four office staff to service existing policies and new clients. He has various insurance degrees and certifications that he has earned over the years as part of his dedication to staying current and continues to pursue continuing education on a regular basis to meet industry requirements.

General MVPCC Policy Information

MVPCC's State Farm Insurance policy is considered a Homeowners Association policy. MVPCC has \$2M coverage and an additional \$1M umbrella. These are separated for funding purposes at State Farm, where liability payments come from one fund and umbrella funds from a separate fund. This allows State Farm to best cover all aspects of the policy and does not affect potential payout or coverage.

The policy covers MVPCC for any bodily injury or property damage claims arising from negligence of the Association. Defense costs are paid in addition to the policy limits coverage of \$3M. MVPCC is also covered even if allegations are false or without merit.

In any of the cases, if the liability is beyond the coverage from the policy, we would need to work with a defense attorney to determine the best ways to conclude the case with MVPCC's best interest in mind. In the event of an excess judgment, sale of owned property or special assessments are possibilities to satisfy the judgment. If such options are not feasible, dissolution of the Association would be a viable option as well.

Knowing our community Doug feels that the \$3M limit is an adequate and reasonable amount of insurance for the size and type of exposure of the MVPCC Association. He said other associations may carry higher limits based on the size of the association and type of exposure they have (common elements such as buildings). Higher limits are available for an additional premium.

Directors and Officers Coverage: In addition to being covered for bodily injury and property damage, we have an endorsement to the policy called Directors and Officers coverage (D&O). This covers all Board members against claims brought against them.

Questions Asked Specific to MVPCC:

MVPCC Community Signage: Doug feels our current signage is adequate protection of the community from potential lawsuits.

Safety: Parents are held responsible for their children.

Drowning: If there was an accidental drowning on community property and MVPCC was somehow found liable, the policy would pay the attorney fees and damages assessed up to the limits of the policy.
(see next page)

MVPCC's Insurance: Are Our Assets Covered? (continued)

Fire: If a fire started on community property and moved to private property, subsequent *property* damage on the Association's properties would be covered by our policy.

If the cause of loss is from an outside source, State Farm Insurance Company, after paying for damages, may pursue the responsible party for reimbursement of all money paid, including the MVPCC deductible if applicable.

If a fire was started on private property and moved to the community property, the *individual homeowner's* insurance could be responsible for damage to the Association's property.

Dam Failure: If the dam failed and caused property damage, MVPCC's policy would cover any claims brought against the Association. MVPCC would be defended up to the point of verdict or settlement and the insurance would only pay if ruled by a jury finding the Association liable and a judge to instruct payment to the injured party or parties.

Maintenance and upkeep of community property including the park, lake and dam along with appropriate signage, enforcing our signage and the limited/restricted access are all critical elements to ensuring MVPCC is considered in good standing for our insurance coverage.

DIRT TEAM UPDATE— The Dam Inspection Report Team (DIRT) has been diligently working on ways to address the State of WA inspection findings we received in the Lake Kayak Dam Inspection Report dated June 2010 (inspection was in Sept 2008).

Team chair Arnold Pretz has been extremely busy talking with local geologists, engineering and seismic testing groups to get bids for some of the items requested by the state. It is slow going, and looks like it will be VERY expensive endeavor, but we need more bids in order to evaluate the situation fully. In addition, we need to get bids for mowing and clearing the south-side of the dam as we are required to maintain that area as well. We also need to prepare and Emergency Action Plan to submit to the state so that in the event of a dam breach the appropriate contacts can be made, including our downstream neighbors outside of MVPCC. **We really need more help with this critical project so anyone that is interested in helping out on the team, please contact Arnold or Molly so we can connect you with the team.**

Board Decisions, Policies and Updates:

- 2011-001 MVPCC Dues Policy Change—

Current Policy (effective Jan. 2009-Dec 2011): Dues – the MVPCC annual due date for community membership dues is March 15. A \$25 fee per year will be added if dues are not paid by the June MVPCC Annual Meeting. A lien will be placed on the property if dues are not paid by 12/31 and the county processing fee will be added.

New Policy: Dues – the MVPCC annual due date for community membership dues is March 1. A \$25 fee per year will be added if dues are not paid by March 31st.

New Policy Effective: with 2012 dues notices.

Note: Through information received from legal counsel in 2011 during review of the Governing Documents, it was determined that the MVPCC Governing Documents language, as currently written, is not specific enough to support our filing liens for past due assessments. Therefore, the Board will not file liens as part of the future dues collection process under the current Governing Documents

- 2001-002 Draft of the 2011-2012 MVPCC Budget was approved by Board of Directors.
- 2001-003 The 2011-2012 MVPCC Budget was ratified by the community at the Annual Meeting.

In Lieu of Dues (ILOD)

If your finances are a bit pinched and coming up with your MVPCC annual dues is a challenge, there may be an alternative for you. The Board will consider on an individual basis, proposals to perform budgeted and authorized activities or provide budgeted and authorized goods needed for the community in exchange for monetary payment of dues. So, rather than becoming delinquent with your dues, first contact a Board member and inquire about an "In Lieu of Dues" request form and the authorized budget items that are applicable to ILOD. Proposals need to be turned in to the board in January – February 2012.

Best Day Fishin'

Catch and Release June 2011

2012-2014 Board Elections

Soon it will be time to elect new Board Members and appoint officers for the 2012-2014 term. The next election will take place at the June 2012 Annual meeting. Please take a little time to consider serving your community by volunteering to be on the MVPCC Board of Directors, including the officer positions. The time commitment is reasonable and it is a great way to get to know your neighbors better and learn about the community. We typically have board meetings January-September. Please contact any board member to discuss being on the board. More details in the spring...

MVPCC Board of Directors (2010 - 2012)

Lake Kayak Web Site
www.mvpcc.com

Visit the website regularly and use it as a resource for information.

Keep us updated with your email address and phone number!

Contact Molly at
mollyg1@comcast.net
 or 206 779 3750

<u>Position</u>	<u>Name</u>	<u>Phone #</u>	<u>Email Address</u>
President:	Lisa Mallant	425-327-9948	lisamallant@earthlink.net
Vice-President:	Shellie Monson	360-794-4297	shelliemonson@gmail.com
Treasurer:	Terrie Foote	206 390 1708	footehills@gmail.com
Secretary:	Molly Graham	206-779-3750	mollyg1@comcast.net
Director:	Carol Ekbohm	360-794-6966	cekbohm@aol.com
Director:	Jim Giuntini	425-643-1580	ginmartini4@msn.com
Director:	Beverly Jacobson	360-863-1180	beverlybjk@earthlink.net
Director:	Cathy Jones	425-238-1709	catsjones2@netzero.com
Director:	Dawn McCarthy	360-794-1208	dawn_e_mccarthy@yahoo.com
Director:	Tom Morgan	360-805-1755	
Director:	Mike Pearson	425-923-4331	mtnbvrkyak@aol.com