

## **Dave's View at Martins Bluff Town Hall Meeting**

**February 24th, 2024**

### **American Paper Converting, Woodland**

**Introduction:** Preceding the roll call Larry Hamilton apologized to the Members for all the controversy that was going on and hopefully this town hall meeting will give everyone the opportunity to meet the candidates. Before taking roll Larry turned the meeting over to Board member Ryan Hendrickson who asked to address the Members. Following is what Ryan had to say:

*"I am excited to see so much interest in our board. This is a better turnout than what we have seen in previous elections. I am also hopeful that our new board will receive even more support than we have received during the past three years.*

*I have watched Larry Hamilton operate from the day he arrived and graciously accepted the important and time-consuming role of being board president. He came in with exciting ideas about how to encourage greater involvement in our community and actively encouraged participation, inclusion and more socialization within our community. Frankly, I could not imagine someone who was more friendly and more welcoming than Larry was. For those of you who have taken the opportunity to get to know him, I think you would agree.*

*Larry had to balance the fun and light side of being board president and getting to know the members with the more serious responsibilities of enforcing our agreed CC&R's, bylaws and guidelines. This has put him and the board that supports him at odds with a tiny percentage of the community who have now selectively and unknown to the board and many other members, campaigned for a dramatic change in leadership, the implication being that the current board was holding on to power, not engaged, stagnant, not transparent, not listening, not open, not collaborative and doing this for some kind of personal gain.*

*From someone on the inside, I could not disagree more strongly with this characterization. It is misleading for newer members of our community. It vilifies the current board. It is corrosive and it promotes disengagement with our current official structure. It is a cancer that we must prevent from spreading. Above all, it is very hurtful and mean-spirited toward someone who has given his all during a very difficult chapter in his personal life, as many of you know, and during a time of pandemic which made personal interaction so difficult.*

*Where was the openness, transparency, support and respect in a secret and selective email campaign that actually promoted these qualities?*

*When our community came together, e.g. on the road committee, good things got done. Progress was made. Did we as a board want to do more? Of course we did. The majority of the board's time and energy has been spent on one specific and ongoing case of non-compliance with the community's CC&R's and the attendant legal challenges. Is this how we wanted to spend our energy? Definitely not! But, would the members prefer that we not enforce our own CC&R's or respond to the numerous complaints that are raised in regard to specific violations? This situation has siphoned so much energy away from the more positive things we could be doing. Ironically, our obligation of confidentiality in this case has been exploited by the very people whose confidentiality is being protected.*

*We live in a beautiful community in a beautiful part of the world. We value this community because of its high standards and quality of life. We don't want to see those things diminished. Larry has been the vanguard of both support and defense for our community. I have been proud to serve with him.*

*Let's vote for the best candidates possible who are willing to work within our existing community structure for positive change rather than feeling it necessary to go underground to denigrate and vilify the current board.*

*I know the old board will engage with the new board and support them. Let's begin a positive, new chapter for Dave's View where we maintain our high standards and where we pull together instead of apart."*

**Pending Lawsuit:** Prior to meeting the candidates, the Board of Directors decided to share a legal note with all Members. Larry stated that there is a pending lawsuit filed by David Rose as claimed trustee for Riverview Land Trust (lots 50, 51 & 57) against Mark Uhart as an officer of the HOA. Mark Uhart denies the allegations against him. The HOA's insurer, Traveler's Insurance, has assigned counsel to defend Mr. Uhart in the lawsuit. On the advice of counsel I (Larry) have been advised not to discuss the specifics of this lawsuit including any legal theories, defenses, communications with counsel, etc. Larry will provide updates as necessary and upon approval of counsel. You can request a copy of the complaint from the Cowlitz County Courthouse.

**Voting Procedures:** Larry presented an image of the new voter ballot on the screen and stated the reason the Board shut down the (online) voting was because it just wasn't fair. It didn't allow Members to vote for who they wanted to vote for, in accordance with our bylaws and

Covenants. These governing documents state Members must have the opportunity to vote for who they want, can't be forced to pick a candidate, must be allowed to write-in a candidate, and must be allowed to mail in their ballot. These are just a few examples of why the election was terminated. Larry was getting calls from numerous Members so the Board had to meet to take action. The ElectionBuddy software was configured wrong and some members were not familiar with voting online. So the Board made the decision to start over. (There is nothing in our governing documents or state laws, Chapters 64.38 RCW or 24.03A RCW, stating elections cannot be terminated by a Board of Directors.) Larry said we all live in the same house (HOA) so we all want to do what is correct and best for the community. Larry emphasized that being the President of the board, or a director, is not a job. If they were a job then he'd be paid for his time. They are roles we assume to manage the HOA, for free. Larry said a small group of Members got together to get specific people elected, but he didn't understand why. He said in the last three years the Board has accomplished a lot. (The Board completed two major road repairs, performed maintenance on the pond for free, filled potholes, and installed road reflectors. Board members also maintained the irrigation system at the front entrance for free.) Larry said he was blindsided by the discord of a few lot owners. He said it didn't have to happen. When people call him to complain about dog shit being thrown on their property by another lot owner why don't they call him about "all this." It's the same telephone number. Who are we fighting? What are we fighting for?

Larry said Stephanie put together a paper ballot with seven candidates: Sean Steinbach, Gloria Uhart, Jim Marlow and Tyler Thomas were all present to respond to questions. This was a National Guard drill week-end for Gary Caudill so he couldn't attend. Jacob Taylor was not in attendance but gave his introduction speech to Sean Steinbach to read. Cyndi Apao was not present or on Zoom due to a family emergency and didn't have anyone to represent her. Larry said he asked Members to provide three questions they wanted to ask the candidates. Prior to this meeting Larry provided Members with the thirty questions, sorted them by the most-common questions, and posted [the document](#) on the [HOA's GoDaddy web site](#). The annual HOA meeting is scheduled for March 7<sup>th</sup> so the ballots must be in by the end of day on March 5<sup>th</sup>. Ballots will be handed out at this meeting so Members may cast their votes this evening after we meet the candidates. Larry assigned Stephanie Moore and Shelly Bauserman to count and report the votes to the Board.

**Attendance:** Larry asked Members to introduce themselves to others, those in the room and those attending remotely via Zoom. The following table reflects those in attendance, or not in attendance, by lot number. The number of lots they represent is shown in the 'No. of Votes' column. Twenty three of the 42 lots were represented at the meeting for an attendance of 55 percent of all lot owners. (Multiply these by five for the five Board members being elected.) The

meeting was held at American Paper Converting, Lydia Work's business in Woodland, WA. Those who were unable to attend in person could join using Zoom. Roll was taken to introduce everyone.

#### Attendance Record

Lot No.	Owner	No of Votes	Attended/ Quorum	Didn't Attend
36 & 38	Lydia Work	2	2	
37	Sean Steinbach	1	1	
39	Totten	1	None	1
40	Atkins	1	None	1
41	Ray Smith	1	1	
42	Beal	1	None	1
45	Todd & Jan Rush	1	1	
46	Bruce	1	None	1
47	Bell	1	None	1
48	Mike Booker	1	1	
49	Jim & daughter Chrissy Marlow	1	1	
50, 51 & 57	Steve Linder for RVLTL and David Rose Trustee	3	3 David Rose via Zoom	
52	Peterkin	1	None	1
53	Mark & Gloria Uhart	1	1	
54	Kaler	1	None	1
55	Hayley Yoder	1	1	
56	Tyler Thomas	1	1	
58	New Home Lending Co. LLC	1	None	1
59	Moradian & Sadegh	1	None	1
60, 61, 62	Dearborn & Moss	3	None	3
63	Dammarell	1	None	1
64	Schaal & Kyung	1	None	1
65	Caudill	1	None	1
66	Apao	1	None	1
67	Jim & Stephanie Moore	1	1	
68	Ken & Deb Youker	1	1	
69 & 70	Ryan Hendrickson	2	2 via Zoom	
75 & 79	George & Dawn Bazarko	2	2 via Zoom	
76	Richard & Caryn Wood	1	1	
77	Edge & Griffin	1	None	1
78	Chris & Rachel Peppers	1	None	1
80	Paula & Larry Hamilton	1	1	

81	James & Shelly Bauserman	1	1	
82	Jim & Marla Christensen	1	1	
83	Judy Zerbach	1	1	
Totals:		42	23	19

**Meeting the Candidates:** Jim Marlow, Gloria Uhart, Sean Steinbach and Tyler Thomas came to the front of the room to state why they want to be on the Board of Directors and to answer questions posed by other Members.

Steve Linder came forward and presented a statement prepared by Gary Caudill. Gary stated that he would advocate for transparency on all Board decisions and processes and ensure the homeowners are kept informed about the Board's actions and decisions. I will encourage the Board to engage with homeowners through outreach efforts and community events. He believes many homeowners want to be involved and hear back from the Board. He will help the Board identify technologies and strategies that will allow the Board to communicate more effectively. He volunteered and was approved by Larry to be on the road committee and was never left out of the loop on anything while I watched others do small maintenance projects. As a member of the Board he will strive to include everyone, not just a select few. He is in favor of oversight and transparency and will encourage all homeowners to attend meetings. He thanked Members for reviewing his background information that Larry sent out and hoped to earn their vote.

Sean Steinbach was provided Jacob Kaler's answers to the questions. To the question of how do we address the perceived lack of transparency and accountability, Jacob recommends developing a web page where Members can post questions and concerns, updated weekly, and then the Board will respond within five days. When the question or concern is entered the user will be given a ticket number that is tied to the question or concern. This will make all concerns as transparent as possible. Paula Hamilton asked if Members are allowed to call Board members as well. Sean said because everyone is not computer savvy the Board will take calls from Members. Sean affirmed this is Jacob's intent. There is the question about Board responsiveness and accessibility to the Board with feedback to the community. Jacob said there would be a promise from our team that all submitted tickets would be responded to within five business days to ensure they are resolved within 30 days. (NOTE: The HOA already has a written [\*Dave's View at Martin's Bluff HOA Rules Enforcement Policy\*](#), dated Jan 17, 2018. It is very detailed as to the Board's responsibility and actions for addressing complaints and situations of CC&R non-compliance.) There would be an in-person or Zoom meeting to resolve the issue/concern within 30 days. Sean was unable to answer other questions posed by Members in the room but offered his thoughts based on Jacob's responses to the questions. A

member asked if Jacob has a home built yet. The answer was he has a lot in Phase 2 but has not built yet. Mark Uhart asked Sean if Jacob has attended any Board meetings. Sean couldn't answer for Jacob as to whether he has or hasn't attended meetings. Mark stated that the Board meetings are open to everybody and they are announced. Sean disagreed stating there are a lot of people who don't get the announcements. Sean said he has talked to several people who stated they don't get the notifications of Board meetings via email. Sean said the last Board meeting he attended here was in 2019. Mark said that it was probably the annual meeting and that the Board conducts annual meetings and quarterly Board meetings, all of which are announced. Mark said he received notices of every Board meeting. Sean said he and others have not. Sean said that with five on the Board and approximately 28 homes built that's five houses per person for each Board member to knock on doors to let the owners know there is a meeting coming up. Sean said he'd really like to get to know people better. (NOTE: All incoming and outgoing emails from the account [dvatmbhoa@gmail.com](mailto:dvatmbhoa@gmail.com) are saved and tagged as records, to include notifications to all Members of annual and quarterly Board meetings. Members email addresses are shown on each outgoing email in the bcc: field. If an email is bounced back as undeliverable then the Board secretary or president contacts the member to have them complete another [email consent form](#), which is posted on our web site. In accordance with RCW 4.03A.015 (4) (b) an electronic transmission (email) is

*"delivered by electronic transmission to the member's address shown in the corporation's current record of members."* Furthermore, RCW 64.38.110 (4) (b) states, *"Notice provided in an electronic transmission is effective as of the date it: (i) Is electronically transmitted to an address, location, or system designated by the recipient for that purpose;"*) The Secretary retains copies of all completed email consent forms, providing proof of receipt.

The last question Jacob answered was the non-compliance issue. How would you handle the CC&R non-compliance issues? Jacob would apply a team player approach and communicate with the homeowner to understand the motive and the intent behind what they did, or the concern. The Board would then review the CC&Rs to determine if there was a violation and then come up with two or three options for compliance. Then the Board would follow-up with the homeowner and collaborate with them to identify an action plan, and then follow-up again to ensure compliance.

Cyndi Apao didn't attend but wanted member to refer to the candidate flyer that went out. Lydia Work said that all lot owners didn't get the flyer. Steve Linder disagreed. Larry stepped in and said that this topic will be discussed after all the candidates have an opportunity to respond to questions. Cyndi's presentation was based on central themes of stewardship, collaboration, transparency, openness, responsibility and integrity, empathy, fairness and equality. She stated that the CC&Rs were developed for the community in 2006 by the developer.

Sean Steinbach was next. Lydia Work asked if she could pose a question and Sean said yes. Lydia said her house was the first one in the neighborhood and she spent a lot of money on her own to get the HOA transferred from Chad Wilson, the Developer/Declarant, to the members of the Association. She was very hurt about an email sent out by one person in our community, pointing to Steve Linder, to only selected people. It included a candidate flyer that didn't include all candidates. (The flyer, *Daves View HOA – Where Dreams Find a Home*, was not Board approved and didn't include three other candidates: Jacob Taylor, George Bazarko and Gloria Uhart. It was subsequent to this email that George Bazarko dropped out as a candidate.) Lydia received a copy of it from one of the email recipients and then emailed the Board requesting postponement of the scheduled meeting. She requested an opportunity to meet the candidates to learn more of their plans. Lydia said she was fed up. Why didn't the person who originated the email send it to her, pointing to Steve? She said this action was very divisive. (After Lydia emailed the Board on 2/10/24 the Board received a letter dated 2/12/24 from J. David Huhs, Attorney at Law for Laurel Law Group. Mr. Huhs was acting on the behalf of one client. This letter threatened Ms. Work, who was exercising her right to speak freely about HOA matters, and threatened the Dave's View at Martin's Bluff HOA. It was referred to Traveler's Insurance and counsel was assigned to defend the HOA in case of litigation.) Lydia said she just heard about another law suit against Mark Uhart. Lydia asked the candidates how many law suits are we going to have and how are the new Board members going to address all of them? Do we need to bring on an attorney on full time? Or are we going to communicate and try to solve our problems as neighbors and Association members. Lydia said this has been a beautiful neighborhood and she opened her doors to everyone moving in. Some people who were invited never responded if they were coming or not. Sean said he wants to make it not divisive. He wants it to be very open. He wants everyone's opinion. Sean said that he felt that he had not been included 100 percent. Lydia reiterated that these lawsuits will cost everybody money because it comes out of HOA funds. Steve Linder said, "I'm not suing the HOA." (The letter from Mr. Huhs was addressed to the HOA, not Lydia Work. It was a threat against the HOA.) Ken Youker said that five, six or seven years ago he felt threatened by the same person starting these lawsuits. We don't need this.

Larry asked all candidates if they thought the candidate flyer sent out was transparent. Steve interjected and said he thought the candidates were being set up. Steve stated, "Lydia is a Republican, as am I, Democrats ..." Members in the audience chimed in asking what that has to do with it? One member said they don't want to hear any more of this because it is divisive. She doesn't want to know what Steve is. Steve said that Republicans don't get Democrat mailers and Democrats don't get Republican mailers, it doesn't matter what side you are on. There was a lot of pushback on this statement as justification for sending out the flyer to specific

members. Ray Smith said that we are spending more time on discussing technology and politics than a large corporation does and we should just get on with the voting.

Gloria Uhart said she's not a builder or engineer but was a school teacher for 31 years and worked with students and parents, students with one parent, three parents, four parents and sometimes no mother or father in their life. She worked on Army installations as a DoDDS teacher and had a Secret clearance. She stated that she feels she is honest, has integrity and said there are no skeletons in her closet. Everyone has a different opinion, we all come from different backgrounds and collaboration is most important. But we are not always going to get what we want, but everybody is going to get a little bit of something so we are happy. She asked everyone, "I would like to know specifics, when has this Board NOT been transparent? I've read where people have been disenfranchised. Tell me what happened that caused that. If I am going to be on the Board I would want to know what caused that so I can make sure that doesn't happen to the people we're representing. When did the disenfranchisement happen and what were the specifics of it?" She has been part the HOA since 2016 and she knows all the lot owners and Board members who worked hard, like Stephanie and Shelly, to get this HOA going.

Sean Steinbach said, "There was a special assessment but he never saw a survey, never saw a plan, and I don't know what we are doing with this money other than shoving it into a bank account. Did we either get a bid to get the roads fixed, are we in the process of doing that, or are we sealing the roads? There's no transparency when it comes to that." Gloria said the financial reports are on the web site and it provides all the information. Sean said he just looked at it this morning and it's not on there. (NOTE: The [2018-2023 financial reports](#) are, and have been, shown on our web site since Larry developed the site, on his own initiative and effort. All records are stored on DropBox for at least seven years in accordance with state law. These reports show what is in the budget and what was spent each year for road maintenance and repairs. Bids for road work are reviewed and approved at Board meetings, which are open to all members. Any member wanting more information, such as approved contracts, invoices and payments can request copies from the Board. No Members, outside of the Board or the ARC, have ever requested this information. It can't get more transparent than this.) Sean said he hasn't seen anything other than what has been spent. He wants to see a schedule. This is his area of expertise. He said he can put together a budget and a schedule. Larry said this is something that definitely needs to happen.

Todd Rush said he understands the cost of road repairs is great but wants to know if this is going to go on and on. He said the special assessment was approved in 2019 but didn't see a breakdown on how the money was to be spent. (Per state law the money was to go into a separate reserve account to cover costs of future maintenance. But the Board had to dip into the reserve account to fix two sections of road that were unsafe.) Stephanie said we have the records to show the road repair costs and the money coming in and it is not sufficient to repair and maintain all our roads. A [Reserve Study](#) was done in 2018 and is available to all Members on our web site. (The Reserve Study shows how much money is supposed to be set aside each year into a separate reserve account for future expenses. It is not an operational expense account.) Jan Rush said that she doesn't know Washington law concerning reserve funds but doesn't believe there are benchmarks that should be met each year. (NOTE: The conduct of a



“reserve study,” contributions to a “reserve account ,” and management of the reserve account are governed by Washington Chapters [64.34.372](#), [.380](#), [.382](#), [.384](#) and [.386](#) RCW.)

Jim Marlow presented next. Jim and Evelyn Marlow moved in to their home on Lot 49 in April 2023. He said he’s not seen a lot of transparency. He’s been on the web site but there could be a lot of improvement. He wants to be part of a community that gets together, understanding that not everybody has the same interests. Transparency will foster trust. Every home owner deserves to have their concerns addressed, and addressed properly. He said it sounds like it has been done in the past but he isn’t aware of it. Larry asked Jim what would be the first thing he would address as a new Board member. Jim said we should have a web site that will address all these questions and stuff for those who are tech savvy. He said the next thing would be to address the road situation. Larry asked Tyler the same questions. Tyler said he would go around and meet everyone to understand their point of view and any concerns they have that could be fixed. Larry then asked Gloria what she would do to uphold the CC&Rs. Gloria said the CC&Rs are black and white and you just need to know how to read. They are tied to your deed. She said if a homeowner has a concern or complaint about a neighbor they should discuss it with them first before going to the President or a Board member, because it makes the President the hated person. The President shouldn’t have to be a policeman.

Larry asked Sean what his plan would be for improving the roads. Sean said first he would have to get some information from Larry. We could have an engineer come out and take a look at it and tell us what needs to be done. The Board would then come up with a plan and inform homeowners of a meeting where we can discuss the plan. Even an (asphalt) overlay would be a big project. He said he’s a project manager and that would be his approach. He said he’s already very busy but he wants to step up and serve the community.

Larry stated there are a lot of property owners that have lots and don’t live in the community. He asked all the candidates what they would do to include them in the Board’s decision making process. Gloria said we should survey all Members to find out their biggest concerns. She said everyone knows the roads need maintenance but we know we can’t afford to fix all of them. Larry asked how she would initiate the survey for those who don’t live in our community. She said email is probably the best way. If some people who say they aren’t receiving emails from the Board then maybe their email address is incorrect, or they didn’t provide the Board their email address. Jim Marlow agreed with the survey suggestion. Jim said that keeping up our neighborhood and keeping up our property are important because we all have a lot invested here.

Tyler Thomas said an app would be good so anybody could use the app to post their concerns. Larry asked Tyler what if people are not comfortable with using an app like that. Tyler said the Board could use Zoom or have quarterly meetings. Tyler said meetings like this are good. Sean said we could use a survey to get the top five concerns from each property owner. Jim said there are faces in the room he hasn’t seen before and getting together so we can talk will help.

Paula asked the candidates why they didn't call Larry, send a text message or email the Board if they had concerns. She said Larry's been President for three years. Communications should go both ways. Sean said he's here now. He didn't have time in the past. He can't change the past but his business is starting to wind down so he will have time to be on the Board. Sean said he wasn't knocking the current Board and was appreciate of the job they were doing. He said from what he heard nobody wanted the job, but Larry stepped up and took the job. Larry emphasized it is not a job. It is a role. If it were a job he would have been paid. The check never came.

Larry asked Dawn or George Bazarko if they had any questions, but there was no response from them over Zoom. Larry asked Ryan if he had any questions. Ryan asked the candidates if any of them ever volunteered to be on a committee, stating he knows some who did and were on the road committee. He said Larry had asked for volunteers for a number of committees several times. Jim Marlow said he had not. He said he didn't get the emails or notifications and hadn't been to any of the Board meetings either. Sean said he was too busy the last three years as a home builder and business owner. He said he was asked to be on the ARC after he moved in but declined the opportunity because he was too busy. Tyler was asked the same question and said he had not received any emails about that. Tyler said they have lived in their house three years. Jan Rush stated that some may have not participated due to COVID-19 and also as being new to the community didn't get involved. Everybody has different situations. She said she believes we need to be understanding of each other. She said one person stated the CC&Rs were written in 2006, but they are still law. Just because they are old doesn't mean they shouldn't be followed. It is an important document. (Jan Rush was on the Board of Directors for several HOAs in California for over 10 years so she's familiar with how they operate.)

Steve Linder had a question for everyone. "What if you had a homeowner where they are saying you are not in compliance and you are doing something wrong and you give them repeated questions, come and show us what's is wrong, let's get all the plans, the experts , the engineers, the city, the county here, to address your concern, and you never hear back, I don't know, for a year or two? Yet they keep on saying you are doing something wrong. Great, so come down so we can discuss it having experts here so we actually have the people who know what's going on." Steve asked Gloria, specifically, what advice would you give a homeowner that (who) is basically under constant attack, and you know they asked, please come down and let's discuss this, and they don't. What advice would you give that homeowner? Or what advice would you give a Board member under constant attack? What would you do as a Board member in that situation? Let's say, the ARC is saying, you are out of compliance and it's baseless?" Gloria tried to respond but Steve cut her off, repeating his question. Gloria asked, "Who's going to get the experts there? Steve replied, "The homeowner, with county experts, city experts, engineers and so on. And the Board ignores them repeatedly? What advice would you give to that homeowner?" Gloria said, "If you were really giving this board that information they would respond, but I don't think .... Are you talking about your situation?" Steve responded, "Could be. Or another one." Steve continues, "Let's say somebody comes and damages your property, and you (the property owner) asks the Board, Hey, did you authorize this person to do, this person happened to be a member of a committee...did you authorize this person." Gloria cut off Steve's line of questioning and stated, "I'm not going there because that's part of a lawsuit...so I'm not going to go there." Steve turned the questions to the other

three candidates in the room. "And when after this I talked to other neighbors, because the owner was out of town, and they said, What are you doing? God told me to do it, mentions nothing about the ARC, nothing about the Board. What would you guys do then?" Sean said, "I would get with the rest of my Board, and again I want transparency, so, if there was an issue everybody should know about it. I think the whole community should be involved in it." Gloria asked Sean what if he would do if the issue was discussed under executive session. Sean said, "There should be a formal complaint made. We'll set up a web site where an issue like that can be made. For those who are not tech savvy we would use email. The first thing we should do is talk to your neighbor, communicate. I want us, the Board, to be secondary, or third. If you guys can't work it out then come talk to us." Gloria agreed with Sean. Sean said, "Then we can come up with a solution. I don't want hear this, they said this, they said this...that's not a community." Steve Linder interrupted, "Here's the simple version of it, would you be honest with that homeowner if he told that person that yes, we (unintelligible) or that we had no idea he was doing that?" Sean said he was honest to a fault. It is not in my nature to lie. Larry asked David Rose if he had any questions and David Rose said, "No, I'm good."

Ryan Hendrickson asked the candidates how they feel about the ARC and their effectiveness and process. Everybody who had a house built has gone through that process. Sean said there should be a little more openness to it. He said some people feel like they are going to be shut down before they start. He's talked to a couple of people about that. Dick Wenger said that when an ARC member goes to the homeowner and tells them the CC&Rs says this and you aren't doing it, what beyond that would you recommend? Sean said, "That's when we can sit down and come up with a plan, like two or three, the Board members." Dick asked Sean if he would review the plan every time if there was disagreement. Sean said no, but there can't be many times and he wouldn't mind looking at them. Dick asked, "Wouldn't it be up to the homeowner, if they disagree (with the ARC decision), to bring it to the Board?" Sean said he totally agrees with that. (NOTE: The ARC approves plans that are in accordance with the CC&Rs and Design Guidelines. If an Owner has a complaint about the interpretation of a Covenant, restriction or rule they may address the Board in writing and the matter will be addressed at a special meeting. This special meeting is afforded the same notification requirement of any other special Board meeting, no more than 14 days prior to and no more than 60 days before the meeting. All lot owners may attend.) Tyler Thomas said he thought it was pretty good so far. He said Jim Moore was very responsive even though he (Tyler) didn't go through with placing another building on his property. Jim Marlow said that when he moved into the house they changed the color and finished their landscaping project. He submitted all their plans and they were approved so the projects were completed. He said he read through all the ARC documents (specifying what was required) and believes they should be reviewed periodically to ensure they are current for the situations at hand.

Stephanie asked how familiar the candidates are with the CC&Rs, bylaws and state laws. Jim said he's read the CC&Rs, the Bylaws the best he can, but hasn't read the state laws. Sean said the state laws were pretty vague. He looked at the laws Larry listed on the agenda for the 3/7 meeting. He said he's very familiar with what he can and can't do (with regard to home construction or remodeling.) He said he's also taking a course online on bring in an HOA hosted by an attorney out of Florida, and he felt Florida has strict HOA laws. It's a two hour course and you get a certificate when you are done. He's

read the Bylaws and the CC&Rs and understands contract law. Tyler said he's read the CC&Rs but should probably read them again. Gloria said she's read the CC&Rs and the Bylaws and doesn't know all the state laws but is willing to learn. She said Mark, her husband, knows all the (Washington State) laws backwards and forwards.

Mark Uhart asked each candidate, "Do you commit to following the Bylaws, the CC&Rs (Phase 2 & Phase 3 because they are a little bit different), RCW 24.03A Washington Nonprofit Corporations Act, RCW 64.38 Homeowners Association Act, and the Records Act. There's nothing vague about any of these laws. Washington State law is very clear concerning HOAs. And it is very clear-cut what is in our CC&Rs. It is in black and white. There may be some areas that need review for the future but right now that is what is on our deeds and must be followed. So, does each candidate commit to following our Bylaws, CC&Rs, and state laws governing Nonprofit Corporations, Homeowners Associations and common Interest Communities?" All four candidates present, Sean, Gloria, Jim and Tyler, stated or nodded YES.

Jan Rush asked what it would take to change the CC&Rs, stating it is different based on each HOA Bylaws & CC&Rs. Mark U stated that to change the CC&Rs it requires a 75% affirmative vote of the members and if it passes it must be recorded at Cowlitz County. (NOTE. Article XII, Section 2 Amendments of the 2006 CC&Rs states, "The Certificate of Amendment shall set forth in full the amendment adopted, and, except as provided in Section 3 of this Article, shall certify that an election duly called and held pursuant to the provisions of the Articles and Bylaws the members citing seventy five percent (75%) of the votes at the election vote affirmatively for the adoption of the amendment.")

Richard Wood asked each candidate, "What do you think is the most important issue facing the HOA at this time?" Sean Steinbach said "inclusiveness." Tyler Thomas "transparency." Jim Marlow said "inclusiveness and transparency." Gloria said it is "divisiveness. It breaks my heart."

Dick Wenger said it's not a question but a request. "We've heard divisiveness and inclusiveness. Something that would help immensely is that the person who is responsible for submitting the letters to the current Board, threatening a lawsuit, based on us trying to handle this whole situation, please withdraw that stupid letter! And quit threatening people legally. Talk to each other to solve problems. Thank you."

There were no more questions for candidates so Larry had the ballots handed out to all Members in the room. As they were being handed out Larry concluded the meeting. Many Members completed their ballot and returned it to Stephanie or Shelly.

#### BOARD MEMBERS:

Larry Hamilton, President	<u>approved by email</u>	Date <u>March 5, 2024</u>
Stephanie Moore, Treasurer	<u>approved by email</u>	Date <u>March 5, 2024</u>
Ryan Hendrickson, Director	<u>approved by email</u>	Date <u>March 5, 2024</u>
Mark Zerbach, Secretary (Not Present)	_____	Date _____