

Palmer Lake Beach Club (PLBC) Inc.

Board Meeting Minutes, July 27th, 2023, 7:00pm South Beach Offices

1. **Call to order:** 7:00pm
2. **Roll Call:** Dolores Starr, Treasurer; Rosa Velder, Member/Opns Mgr; Nancy Carr, Alternate; Kim Hunsaker, 1st VP; Sarah Watkins, 2nd VP; Kathy Wright, Secretary; Devyn Vining, Alternate; Tanya Stevens, Member; Rich Goad, Member; Les Friedman & Barbara Haley, Member; Gary Gerstner, Member; Kim Adam, Member; Justin Mosley, Member; Jamie Troudt, Member; Tim Gaston, Member;
3. **President Comments:**
 - a. Agenda Review – Ask for changes.
 - b. Construction approval: Tim Gaston, Owner, 2007 197th Ave SW. Project was reviewed and approved unanimously by the Board.
 - c. Member Discussion 2207 Lake Drive Non-Compliance:
There was a long discussion where Jamie Troudt had questions regarding a non-compliance action on 2207 Lake Drive. Jamie is apparently a friend of the tenant, Michael Linarte, and was told “one side of the story”. After a few minutes of finding and reviewing the records, Robert Perry explained that the HOA has had no contact with the tenant but had contact with the owner. In summary, the HOA sent a notice of potential non-compliance giving the owner a chance to be heard, and the owner did not respond within the timeframe, but responded later. There was a series of emails between the owner and the HOA, explaining that the vehicles that were in various stages of disassembly were clearly inoperable and that the RV, if it was inoperable, would need to be removed as well. It was made clear that the RV, if operable, could be stored on the lot. The owner did not respond indicating that the RV was operable, and therefore the Board approved a letter of non-compliance, and after receiving it, the owner apparently took steps to have his tenant clear the lot, because the non-compliant vehicles were removed. Apparently, the tenant has made many complaints regarding the non-compliance action, and posted the missive shown on Facebook.
 - d. Member Discussion: Legal operations of the Board of Directors, brought up by Member Justin Mosley. The member first started by claiming that we were required to publish board meeting agendas in advance, and that we were not following the law. Robert Perry asked Justin if he was an attorney, he replied yes. When pressed if he was a licensed attorney, he then said no, but he had taken some law classes. In



summary, Member Mosley felt we were not following the law, and that there was a whole range of activities regarding publishing monthly board meeting minutes, advance agendas, etc that was not in compliance with the law. This conversation went on for about 20 minutes, at which time the issue was tabled and the Board resumed it's ordinary agenda. Later Justin sent the Board a number of emails, citing some incorrect laws and applicability to circumstances. In summary, Member Mosley then claimed in email he never said he was an attorney, etc. The entire email chain is attached to these minutes as Enclosure A, the date and time of each is noted.

4. Secretary/Operations Manager:

- a. Discussions of general correspondence and communications.

5. Treasurer - Sarah Watkins/Rosa Velder (Bookkeeper/Opns Mgr):

- a. Monthly financial report review. Delores Starr reviewed the monthly financial report. After review, Kim Hunsaker made a motion that the report be accepted, Sarah Watkins seconded the motion, and the motion passed unanimously.

6. New Business:

- a. The Board discussed National Night Out event, on August 1. Set up is at 4:00pm. Event start 5:00~8:00pm. Overall event execution is a duplicate of the July 4th celebration held on July 1st. For this event, we will purchase a Costco cake. A budget of \$150 was discussed. After discussion, Delores Starr made a motion to approve the overall plan, and Kim Hunsaker seconded the motion. The motion passed unanimously.

7. Next Board Meeting: 2023-08-31.

8. Executive Session:

- a. Parsons property – if non-compliance is not cleared by August 3, the HOA will file suit. Unanimous approval.
- b. Olsen – Board approved a notice of non-compliance, 30 days to cure, or \$1,000 fine. Unanimous approval.
- c. 2014 194th. They have cured and no need to send a notice.
- d. 19112 17th St Ct. Take photos, circulate to the board for review.

9. Adjourned: 9:10pm

10. Next Board Meeting: August 24th, 2023.

Enclosure A Justin Mosley Emails – Reverse Chronological Order

From: Justin Mosley <justinmosley@hotmail.com>
Sent: Monday, July 31, 2023 1:02 PM
To: HOA Contact <contact@palmerlakebeachclub.com>
Subject: Re: Board meeting requirements

I actually never said I was attorney. You asked and I said no. I do not appreciate your condescending attitude when all I was trying to do is find minutes and an agenda. Thanks for all your hard work. If you choose to be less confrontational you may find that more people are willing to listen to you and be involved with the HOA.

Sent from my iPhone

On Jul 30, 2023, at 8:38 AM, HOA Contact <contact@palmerlakebeachclub.com> wrote:

Hi Justin,

Just to clarify, as I noted in the Board meeting on 7-27, we don't publish Board meeting agendas in advance to the membership because the draft agenda is typically prepared the day before the meeting, or the day of the meeting; the agenda is routinely changed prior to or in the meeting to reflect additional items that the Board members desire to discuss, and also items that any member in attendance would like to address. As also noted, any member is free to attend the Board meetings and bring up items of concern to them. Of course, to properly manage the time and decorum of the meetings, very rarely an item is not addressed or is scheduled for the next meeting. And yes, preparing agendas in advance and then circulating them to the membership is an additional time burden and cost.

Your note below regarding "available for download" needs further study on your part. You are referencing a document explaining to title companies and prospective purchasers that we don't email minutes, they can be downloaded. Title companies and prospective purchasers are not members. We are very frugal and careful in spending paid administrative time (member money) to email things that can be downloaded when we post them, particularly to non-members.

Also noted in the 7-27 meeting we pay nothing for web site maintenance, it is volunteer time. Volunteers do work based on their schedule, and the demands of an individual member is of value, but may not be actionable, since the membership as a whole approves budgets in the Spring Member meeting. Simply put, if the HOA membership as a whole would like to increase the dues to pay someone to update information on a tight timeline, the membership can approve the spend.

In my comments below, I laid out the requirements of the law. In our 7-27 meeting you said you were an attorney, when pressed you noted you were not a licensed attorney, but you had taken some law classes. Everyone in attendance appreciated your final clarification. PLBC does it's best to comply with the laws, as well as the Bylaws and Covenants. The world is not a perfect place.

Despite the law noting that members can attend Board meetings as “observers”, not participants, and that Board minutes will be provided – but specifically without defined timelines, the Board of PLBC goes far beyond the requirements of the law. We typically encourage member comments and thoughts in Board meetings, and we publish our minutes on a regular basis, after review and approval. Perhaps we don’t post them fast enough to satisfy you, but you should be aware that in the last 4 years, you are one of two people who expressed concerns about timeliness of posting of minutes. That would be 0.00399 of the membership.

Palmer Lake Beach Club “The HOA of Palmer Lake”
PO Box 0291, Lakebay WA 98349
Email: Contact@palmerlakebeachclub.com
Voicemail: 253-884-1414
Learn about the HOA at www.palmerlakebeachclub.com

From: Justin Mosley <JustinRMosley@hotmail.com>
Sent: Friday, July 28, 2023 8:18 PM
To: HOA Contact <contact@palmerlakebeachclub.com>
Subject: Re: Board meeting requirements

Got it Bob. Thanks for your time.

Just to clarify, you don’t publish an agenda because you don’t have time and you don’t post minutes because the law doesn’t require you to? And then on the PLBC site it states that you don’t email minutes. So, how does one get minutes without an official request and if they do will you email it?

From PLBC website: “ PLBC does not email or mail Board/Member Meeting Minutes, Bylaws and Declarations. They are downloadable from www.palmerlakebeachclub.com”

Sent from my iPhone

On Jul 27, 2023, at 10:54 PM, HOA Contact <contact@palmerlakebeachclub.com> wrote:

Hi Justin,

Thank you for your participation tonight. Let me respond in detail to your notes below:

1. The law you referenced in the article below is dated 2018. This is a 5-year-old internet article. RCW 64.38.010 is the current law for Washington, dated 2023.
2. Washington has two sets of association laws, one is for HOA’s where each member owns a specific separate parcel (RCW 64.38), and another governing Common Interest Communities (CIC) (Condos), which is RCW 64.32 and RCW 64.34. Palmer Lake is not a CIC (Condo) and is clearly governed by RCW 64.38. You are citing the wrong law. You can find RCW 64.38 here (<https://app.leg.wa.gov/RCW/default.aspx?cite=64.38.010>)

3. Under RCW 64.38.035, there are two types of meetings defined – Association Meetings – 64.38.035 (1), (2) & (3), and Board Meetings 64.38.035 (4). Palmer Lake complies with every part of these laws.
4. Under Board Meetings, the meetings are open for observation – not participation. Minutes must be kept, and be available to all owners, but there is no timeline for having such minutes available, or even requiring publishing. Just be available. There is no requirement to publish agendas of Board Meetings in advance.

I hope this helps your understanding.

Sincerely,

Bob

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From: Justin Mosley <justinmosley@hotmail.com>
Sent: Thursday, July 27, 2023 9:50 PM
To: HOA Contact <contact@palmerlakebeachclub.com>
Subject: Board meeting requirements

Here are the updated laws about HOA AND Board meetings. Please read them. I was not out of line whatsoever asking for an agenda previous to the meeting.

<image001.png>

[Big Changes in Washington State HOA Law](#)
vf-law.com

“There are a few HOA meeting requirements the board must comply with when it comes to open board meetings. Initially, the board must provide all homeowners with a notice of the open meeting. This notice should include the time and place of the meeting as well as the agenda of items that require discussion.”

Justin Mosley