



**Homeowners Association
Regular Meeting - HOA Board of Directors
August 25, 2023**

MINUTES

Minutes are meant to reflect a summary of the Board's actions and not as a transcript of all discussions. This is a virtual meeting; members were notified on our website and by email of the time and provided the link.

The purpose of this meeting is to conduct regular board business in an open format. Board members will provide each other with updates on action items.

The meeting was called to order and a quorum was established. (4 out of 4 directors) Board members present: Acting President: Doug Moore; Secretary: Beth Morris; Treasurer: Diana Johnson; Landscape and Architectural Standards Director James Taylor

HOA Member participants: Rock Morris, Rudey and Sarah Whitney, Renee Jacobs, Linda Walker, Jim Dunlap, Sam and Edith Menzies, Tina Yerzy, Bill Carpine, and Jan Bonzon

OLD BUSINESS

Secretary, Beth Morris:

Moved to adopt the meeting minutes from August 3 and August 7th. Motion Passed – Approved.

President, Doug Moore:

Elite management has, under a number of different entities over the years, helped us a great deal. I've been here since 2012. Originally it was a strong company, we believed in, that did a lot of work for us. Over time, the company has gotten smaller and smaller and unfortunately, seems to be breaking into pieces. And I have a feeling they are in the process of, kind of, going into the background. That's a poor way of putting it, but I'm trying to be reasonable, not having facts in my hands, just interpreting what I heard when I speak to the principals of the company. I don't have a problem with them. I have some very good relationships with both Myra and Janene and I will retain those good relationships. And they will provide me, for instance, with checks that they get between now and the middle of September, for any kind of HOA dues. I will pick-up any mail that they get.

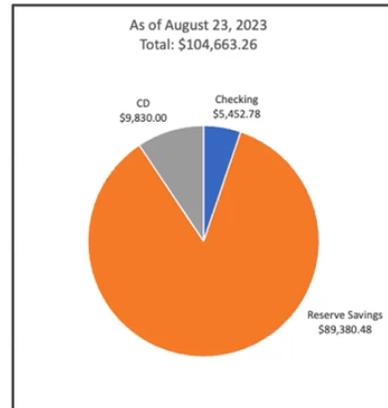
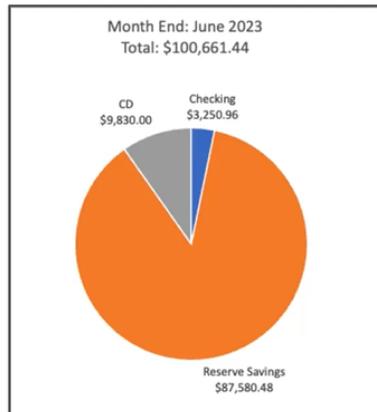
It's appropriate, so I've kept a good relationship there, to make sure that we have a flow of whatever the final elements need to be completed.

During the past week I received a letter from Janene saying, "We're not doing anything anymore, starting right now." And so, I went down on Wednesday and picked up two boxes, which are the last two boxes of our records. I also received a usb drive of documents, excel spreadsheets downloaded from QuickBooks.

And okay, so I'm going to finish by saying: We are not dealing with Elite Association Management anymore. We are moving forward with propVIVO.

Treasurer, Diana Johnson:

The Greens at Loomis Trail Financial Balance Sheet
June to August 23, 2023



From June 30, 2023 to August 23, 2023

- Checking **+\$2,201.82**
- Savings/Reserves **+\$1,800.00**
- Certificate of Deposit (CD) remained the same
- Assumptions: Not all August invoices have been paid
- Elite has not provided copies of written checks nor invoices (will be reviewing provided USB disc)

Landscape and Architectural Standards, Jim Taylor:

Gate Repair is completed, lifting the gate and removing and replacing the tract with a more robust tract. If we maintain lubricating the chain and changing the batteries, our current gates should be good for up to 10 years. The fee was less than 6000.00. This is a case where appropriate maintenance costs less than replacement.

We also reduced overwatering in that area, which was further undermining the track and mechanical pieces of our gate.

Shout out to Sam. Replacing the tract saves money. Every time it failed, we paid more than \$600.00 for a site visit. In the past, we paid more than \$2000.00 per year, on maintenance visits for professional repair. We think we've solved the problem with appropriate maintenance, which will save \$\$\$ in the long run.

Shout out to Kevin, who gathered the estimates.

Diana reported reading a book on HOA Reserves, *Understanding Reserves – A Guide To Your Association's Reserve Fund & Reserve Study* by Kevin Leonard, RS and Robert Nordlund, PE, RS. Authors emphasized the importance of maintenance to prolong the useful life of our common assets.

Our front gate has two mechanical pieces, the chain and the motors. If we maintain greasing our chains, on a schedule every 6 months, and change the batteries periodically, we anticipate another 10 years useful life of our front gate. It isn't rocket surgery 😊.

And, the Reserve Study will verify, with an expert evaluation of Useful Life

Communications Chair, Renee Jacobs



Stormwater

Renee summarized Stormwater Committee Report. Motion was passed to add the report to the minutes. See attached.

Trees

We anticipate a quote for both the exposure of the creek bed in Tract E, and removal of dead wood from boulevard trees. The quote is anticipated next week. Stay tuned.

Goats

Diana Johnson followed up, investigating the idea of utilizing goats to expose our Tract E streambed. Carol at Akyla Farms wrote that the rate for goats is \$400.00 per day with a 2-day minimum, and goats work their way through 1/3 acre in about 4 days, depending upon the density.

WRS

Our contract with WRS has stormwater confluence maintenance scheduled during the month of August. WRS reports that the area is too wet for mowing, despite this being one of the driest seasons on record. This is further evidence that water isn't flowing properly; we are dependent upon evaporation to dry regions that should be dry because of proper draining.

The HOA Board is contacting WRS for an itemized dollar amount for the mowing and removal of debris. The Board is evaluating the possibility of a Change Order so that the company, likely to clear the stream bed in Tract E, can bid on completing Tract C and D at the same time.

Mowing boulevards and light landscaping work is significantly less complicated than taking care of our open spaces. WRS was quite pleased to stop mowing Tracts A and B. We anticipate they will feel the same way about tracts C and D.

No matter what, maintenance must be completed before the rainy season.

Currently, Tract E is not part of our existing WRS contract.

Stormwater Grate

See attached *Whatcom County Development Standards* CHAPTER 2: STORMWATER MANAGEMENT.

Notice the highlighted sections on pages 1,3,4,12,13,14,16

Upon investigation this past month, the stormwater committee discovered that the custom designed grate was not submitted to The Whatcom County Technical Administrator to determine if the grate is correct, compliant with County codes and standards. The materials and design were not reviewed, initialed, and stamped.

Stormwater conveyance is heavily regulated for residential communities.

Our community is not a single-family residence, so we are not exempt from Whatcom County Codes.

Any changes to our existing stormwater conveyance system must be approved by Whatcom County.

The Technical Administrator is the County Engineer.

Our culverts are considered “closed” storm water conveyance systems.

The county code for new developments is specific: “Do not provide debris barriers on culverts and stormwater pipe inlets and/or outlets unless the Technical Administrator dictates otherwise, which will depend on site specific conditions.”

Upon Editing these Minutes, Renee Jacobs requested to add the following statement:

Remember that your HOA Board is a group of well-intentioned volunteers. As a community, we should give them the benefit of the doubt. When the HOA Board approved fabrication of the grate, they believed in good faith, that the HOA President, an Engineer, designed an appropriate remedy for reducing flooding.

Furthermore, Ryan Barnes has a sincere desire to take correct actions, never intentionally putting our community at risk for negligence if someone was injured clearing a structure that was not approved by appropriate authorities prior to installation.

Today, Jim Dunlop has established a relationship with the Whatcom County Inspector. Our County Inspector confirmed that clearing the streambed is not a change in stormwater conveyance. The goal is to restore the original design.



Property Management - This will be an overview of the process of Property Management Selection and Onboarding from start until today.



July 17, the HOA Board interviewed the first prospective property management company. Before the executive session, HOA Members were told this agent came to our meeting today and desires to present to HOA Board Members. The meeting will be recorded. If you desire to be on the selection committee, you will be invited to watch the video and attend all future interviews.

July 24, another prospective property management company attended our HOA Meeting and exited early after observing unfortunate conversation. We lost our opportunity for that interview. Again, the HOA Board invited anyone interested in participating in the ongoing interviews, to speak up.

After vetting multiple companies, Beth Morris sent an email blast inviting anyone interested to attend a meeting at her home on 29th July, 12 people attended. The intent was to discuss the prospects and review the selection criteria. This is a picture from Renee’s notes that Saturday:

HOA Management Evaluation Form		Clark Simpson West
Vendor Checklist		
1 Modern Online HOA Management Software Package		No
2 Real Time Financials?		tbd
3 Complaints & Citation Management?		No
4 Emergency Services/Communication Plan?		No
5 Budget Assistance?		No
6 References?		tbd
7 Attend Hybrid Meeting?		tbd
8 New HOA Board Member Support and Guidance?		tbd
9 Pay Dues Online via Check w/No Fees?		tbd
10 Service Level Agreement (SLA) for Urgent Matters?		tbd
11 Quote Received?		Yes
12 Estimated Monthly Recurring Service Charge Financials ONLY		
13 Estimated Monthly Recurring Service Charge 100% Management		
14 Presenting to Board and Providing Software Demo?		No
15 Key Point of Contact		Julie
16 Primary Location		North Carolina
17		
18 Attached Company Brochures		

At the close of the meeting, all were asked to view interviews and review proposals of the two top contenders. A follow-up meeting would reconvene August 2, for final decision, and August 3 the HOA Board would vote to sign a contract, get the onboarding process in motion.

We were advised to watch out for Real Estate Agents who provide property management services toward earning home sales and collecting fees for managing rental properties.

Kathy Barnes spoke up, stating she'd like to contribute additional research. Kathy was encouraged to try to let Diana and Beth know by Monday, July 31st, if possible.

July
31

Excerpt from Open Meeting, July 31 HOA Minutes:

Property Management Selection Committee met last Saturday; twelve homeowners attended including three board members. Criteria that was used was shared, considered, and expanded upon. **The 8 semi-finalists were pared down to two finalists. Committee members agreed to review the proposals and the video presentations from both firms and re-convene Aug. 2 to voice their opinions/recommendations. The board will then be able to take a vote on Thursday and begin the on-boarding process.** It was noted that there were dozens of companies vetted first by Diana Johnson for their suitability; her efforts made this happen quickly.

Aug
1

Aug
2/3

August 1, Renee didn't see it; Beth and Diana did see that Kathy notified them regarding an additional property management company. Both Beth and Diana investigated Access Real Estate prior to the August 2 meeting.

August 2, the Property Management Committee reconvenes at Renee's home. The meeting was scheduled for 15 minutes prior to the Budget Committee Meeting. Those who watched the video interviews and reviewed proposals, shared their opinions.

Kathy Barnes shared that her choice is Access Real Estate because they are local and because they can use Survey Monkey software to poll our community during times of decision making.

If you were there, you will remember about 30 seconds of heated conversation, people talking over one another. Both Beth and Diana expressed that Access Real Estate did not meet as many of the selection criteria as the top two contenders.

Kathy was unable to stay for the review of Reserves and social time thereafter.

August 3, the HOA Board met for the sole purpose of passing the motion to hire propVIVO.

Aug
6/8

August 6, the HOA Board receives an email from Kathy Barnes.

“...referring to the Zoom Short Special Meeting Thursday August 3, 2023, from 10:00am – 10:10am. Did this short meeting happen? I never received notification about this meeting of any kind; plus, there was no discussion ...

... sent an email as well which has gone unanswered regarding if the board was going to schedule an interview with the other Property Management Company that I brought information to the meeting about and forwarded letters from Access Real Estate ...”

In brief, Kathy seemed highly displeased with the process and the final selection.

Renee wrote to Kathy, thanking Kathy for participating in Zoom meetings and also for attending in-person meetings along with Ryan. Renee also shared,

“The HOA Board applied the 16 criteria and decided to weight – Modern Online HOA Management Software, Real Time Financials, and streamlined Dues Payment options – over ‘local’ and ‘the ability to poll HOA Members’.

You’ll be pleased to know that propVIVO is located in Bellevue WA, has a local representative, and can provide online polling too – in addition to other high priority services.

I predict – 30 days from today – you and Ryan will be pleased with the selection ...”

August 8th, Doug, Beth, and Diana were scheduled to visit the Elite board room to meet online with propVIVO, Janene and her accountant, for the purpose of talking through documentation required for smooth transition.

August 8th, Janene contacted Doug, reporting that ‘after talking with Kathy Barnes’, Janene was canceling the meeting and would not have availability until near the end of the month. Except for Doug, Janene does not want to work with our HOA Board.

Doug talked to Janene at length, reminded her that Janene ended our contract and Janene agreed to support a smooth transition, and this 8 August meeting was scheduled far in advance.

The meeting went forward.

During the Zoom meeting, held in Janene’s board room, propVIVO reviewed a checklist. The meeting was brief. Janene and her accountant agreed that most of what is needed, could be downloaded as excel spreadsheets, right out of QuickBooks.

This was Tuesday the 8th. Doug asked if the deadline of Friday the 11th seemed reasonable. Janene agreed.

Doug left the meeting feeling optimistic. Beth and Diana were more reserved, decided to be optimistic and trusting – yet verify.

Images of Checklist: To View the Checklist, Request A Meeting with Treasurer Diana Johnson

Aug
16

Checking every day, with propVIVO, our worst fears were realized.

propVIVO did not receive a check for opening a bank account with expanded security for ACH Bank-to-Bank HOA Dues Payment. propVIVO did not receive HOA Member ledgers, the history of payments, any violations, etc.

propVIVO did pull CC&Rs and ByLaws and Meeting Minutes from our website. propVIVO did receive HOA Member contact details from Jim Taylor, updated when we received the forms for Email Consent.

Doug called, leaving messages for Janene at Elite.

Beth went to Banner Bank, asked for a check, and mailed it overnight to propVIVO.



August 23rd, Doug receives a letter from Janene Southcott. Janene has no intention of helping with the transition. Doug is advised to pick up 2 boxes, HOA Dues Payments that Janene will not deposit, and a usb thumb drive with excel spreadsheets downloaded from QuickBooks. Janene expressed good feelings for both Doug and Sam. She has no intention of helping the HOA Board.

August 24th, Doug gives the usb drive to Renee. That afternoon, financial history - dating back to 2010, is uploaded to propVIVO – *12 days later than Elite promised.*

August 25th, today, our Portal is live. However, our banking is not yet connected and secure, for ACH Bank-to-Bank HOA Dues Payments. Our years of financial data is not yet separated into individual HOA Member ledgers. Our vendor contracts, history, insurance...and more...is not yet sorted. propVIVO has had spreadsheets, from Elite, for less than one day.

Summary: HOA Dues

If you are paying Elite, using your Bank Bill Pay service...please, STOP the automatic payment of HOA Dues.

If you personally write and mail a check, please hold off until further notice, likely September 1st.

In fact, please put September HOA Dues payment on hold until further notice, likely September 1st.

Don't worry. Any fines, due to late payment, will be waived during this time of transition - the month of September.

If you have already authorized your payment, do not worry. We will collect your check from Elite and deposit your payment.

If you paid your HOA Dues months in advance, do not worry, your payments will be honored.

Thank YOU for patience during this time of transition. Great things are in the works.

Renee gave a short presentation, showing what your safe, secure, password protected, HOA portal will look like.

- You'll have safer, more secure HOA Dues payment options.
- You'll have immediate access to your payment history.
- You'll have a safe, secure place to lodge concerns, and 24/7 help with emergencies.
- Your HOA Board will have real-time access to our financial data.
- Any HOA Member can schedule to see community financial data, in real-time, upon request from your HOA Board.

- We will have a designated property manager, to share expertise and guidance.
- As a community, we'll have a sizeable expert team helping us - instead of 3 people at Elite Association Management.

Upon Editing these Minutes, Renee Jacobs requested to add the following statement:

Remember that our HOA Members can give Kathy Barnes the benefit of the doubt that her activism, going around the HOA Board to talk with Elite regarding property management selection and the transition, was likely well intentioned. Kathy has dedicated years of service to our community. In a few months, weeks of delay will be a distant memory. We are on track for a bright future!



When we have sorted out the Stormwater downstream issues, and removed dead wood from our boulevard trees, and fully onboarded with propVIVO, and obtained our current Reserve Study – we will be ready to ratify a new budget, elect a full slate of HOA Board of Directors, and defend the appropriate increase of HOA Dues.

Renee’s guess is that Dues will increase \$20.00 to \$30.00, however, we won’t know the number until we have all of our data. The HOA Board is working tirelessly to improve services in our community and decrease expenses too. Quite likely we will plan to rebuild appropriate savings/reserves over a few years – avoiding a special assessment.

Time will tell. Optimistically – we could achieve our Budget Ratification Meeting toward the end of September or first week of October. It will be a day to celebrate peace of mind.

NEW BUSINESS

Reserve Study Research – Diana Johnson

We have proposals from 4 companies. Three were recommended by propVIVO. The fourth is Pacific Crest, the company that provided our Level 2 Study November 24, 2017.

Because Pacific Crest has our infrastructure components already in their system, the fastest and most affordable study is with Pacific Crest.

The HOA Board motioned and voted to hire Pacific Crest for a Reserve Study, updated with current images of our components, updated with stormwater findings when we have them, and updated for inflation, with site visit – because Pacific Crest reports that legally, because it has been 6 years, site visit is required. The purpose is to have useful information for calculating the appropriate dues increase – this year.

HOA Board Vote was unanimous for hiring Pacific Crest.

Landscaping and Architectural Standards – Jim Taylor

- **Div 2 Lot 13** Proposal to add a 12 ft x 36 ft deck made of composite (trex) materials. The deck would be attached to the house and an extension of what's already in place. Color drawings submitted; railings are wooden. Motion to approve Passed unanimously.
- **Div 2 Lot 10** Proposal to lay concrete steps off back deck. Motion to approve Passed unanimously.

- **Division 2 Lot 11** Proposal to add brick edging along property line. Motion to approve Passed unanimously.
- **Div 1 Lot 61** – Submitted landscaping proposal. Includes trees, shrubs, grass and a sprinkler system. Motion to approve Passed unanimously.
- **Banking Signatories** - We currently have one board member as a signatory at Banner Bank. Board agreed to add Diana Johnson, Treasurer and Doug Moore, Acting President as signatories. Since Elite is not doing any further business for us, we also agreed to remove Janene Southcott from access. Motion to approve Passed unanimously.
- **Stormwater Committee Report** Addition to the Meeting Minutes Motion to approve Passed unanimously.

Additional Discussion – Diana Johnson & HOA Members

I noticed Elite charged us for "meetings" and just found out about the charge when reviewing the documents Elite provide on the thumb drive I received Thursday, August 24.

I also noticed other Elite charges that are unclear to me at this time and will be fact finding to get to the bottom of the charges. Doug has volunteered to assist with communication with Janene.

WRS knocked down a sign, and the mowers are scaring our trees, taking chunks out of the bark. Diana will take this up with WRS. We should not turn a blind eye to damage. Replacing trees of this size can cost thousands of dollars.

Furthermore, weeding can be improved. Other services like fertilization are being neglected. Someone needs to point it out to WRS.

Road cracks need to be made a priority this year, before winter.

There are caterpillars behind Kevin’s home. Pictures will be sent to Jim Taylor.

Doug Moore, Acting President – MOTION TO ADJOURN Passed and Seconded