

**Greenbank Beach & Boat Club (GBBC/HOA) & Holmes Harbor Water Company
(HHWC) Boards of Trustees
Minutes of the Joint Meeting
Saturday, May 15, 2021**

Open the Joint Meeting:

- Greenbank Beach & Boat Club (GBBC) Nancy Sharp called the meeting to order at 9:06 am. on May 15, 2021
- This meeting was conducted via a Zoom meeting due to COVID restrictions

Roll Call:

GBBC Board members in attendance:

- | | |
|-----------------|-----------------------------------|
| • Judi Moore | • Diana Butler |
| • Cris Sanguino | • Phil Sikes |
| • Bob Monroig | • Adele Anderson (joined at 9:12) |

HHWC Board members in attendance:

- | | |
|---------------|-----------------|
| • Nancy Sharp | • David Paull |
| • Cyndy King | • Lydia Sikes |
| • Sharon Dunn | • Rick Waclawik |

Excused absences:

- Richard Loughead (member of the GBBC board)
- Kristin Lind (member of the GBBC board)
- Jeanna Lyle (member of the GBBC board)

Review Agenda:

- The May 15 agenda was reviewed and accepted, with Judy adding a member comment.

Approval of the April 17 Joint Meeting Minutes:

- The April 17 Joint Meeting Minutes were approved unanimously.

CONSIDERATION OF OPEN ISSUES

Website update – Cris Sanguino

- Server was down for a couple days. Cris got it resolved.
- Cris made some updates and added an article about Ellison (?) and Elephant Seals
- Cyndy inquired about site security, which Cris has not yet explored. She will revisit – needs to acquire a certificate.

Landscape Report

- Bob Monroig reported that the lawn and beach area is being mowed.
- Sharon (?) inquired about we might be able to address the Scotch Broom that is appearing on Casino on the County right-away (starting on the Rose property across from Nancy S's house).
 - Cris explained that it's on the list of noxious weeds, which the Ezzells are contracted to manage.
 - Cris will connect with Richard and request that this be addressed asap
 - Nancy will send an email to the Rose's so they are aware of work being done

ARC Report – Cyndy King

- No report this month. Mr. Fresonke has not yet submitted plans.

Greenbank Marsh Working Group – Bob Monroig

- Bob Monroig updated on the previously reported Zoom conference with Mike Stansbury and Tom Slocum to draft a 1-page summary to update the community on his assessment.
 - Tom has provided edits to the letter Bob drafted in December, which were presented in last month's meeting, during which some concerns were expressed about potential legal issues that may require attorney input.
 - They discussed / brainstormed potential remediations to various elements of the issues (eg, another outflow pipe at the south end of the marsh) and incorrect assumptions regarding the water flow and tide gate issues
 - USDA has confirmed that they do service water management issues, but eventually someone (possibly Island County or GB Farm) will need to manage the local improvement district.
- There have since been issues at the boat ramp with member of the North Bluff Community that may have been circumvented if the community was more aware of the situation.
- Bob would like to have input/guidance from the board and approval to poll the community members to see if they want to do another live meeting with Tom or just be provided a written update
 - Bob will re-send the draft letter to the board members for feedback.
- Cyndy pointed out that any votes on this issue will need to happen with the GBBC board and explained that this item is on both agendas. However, as interested parties, Nancy expressed that she wants to make sure that this goes forward.
- Tom Slocum spoke with Judi and confirmed that he is supportive of a working group and suggests using the farm.

Delinquencies/Liens/Collections – David Paull

- David referenced the email he sent reporting what he learned from the contact at Island County and Ed Brewster, and Judi asked for clarification regarding the terms of the liens.
 - David explained that the contact at the county said that it is essentially a legal question and that every lien is different. Some are paid off before taxes are involved, and the tax lien typically only goes about 3 years, after which time the property is sold.
 - Liens can be kept active indefinitely but each dollar owed that is more than 6 years old is 'dropped' from the balance, so anything that is 6 years old or older is unrecoverable.
 - The two current liens are from 2018, so the 6 year limit isn't an issue until 2024, but it has become clear that we need to rewrite the liens (separately) because GBBC cannot collect it if obtained and the Water Company is no longer the HOA, so it can't collect the money.
 - Cyndy proposed that we explore the costs of re-writing a lien (David said it is \$100/each) and mentioned that the taxes have been paid for one of the accounts in arrears, so Island Co won't be pursuing payment.
 - Nancy pointed out that rewriting the liens won't extend the 6 year expiration, as that is based on when the original debt was incurred, so a decision needs to be made about pursuing payment through collections.
 - Judi was uncertain about the 6 year limit for collecting debt and it was suggested the GBBC can explore that (eg, with King Water or someone else at Island Co)
- Bob proposed having the attorney (Mr. Walker) prepare two separate lien templates – one for the Water Company and one for GBBC to ensure if we decide to go forward, we have something in place that is reflective of the current law and HOA structure.
 - Nancy supported this suggestion and said the next (administrative) step will be to determine if we file the new liens ourselves or have King Water do it
 - Judi confirmed that the costs will be shared by both the Water Co and the GBBC HOA
- Bob made a motion to move forward with having attorney Walker draw up 2 lien templates, which was seconded and approved unanimously.
 - Judi will contact Walker and consult with Bob about the verbiage

Trustee Notebooks - Cyndy King

- Cyndy confirmed that everyone received the email and that everyone has a copy of the trustee notebooks (Cris will distribute the rest).
 - Cyndy offered to provide printed copies of additional documentation for those who are unable to print them.
- Cyndy will keep the Table of Contents updated and mentioned that Judi requested that the invoice due dates are recorded
 - Cyndy will email the 2021 invoice due dates with associated amounts, which is also on the web site.
 - Cyndy has also updated the Article addition on Tab 5 (GBBC Articles) in the Table of Contents, which references the 2017 amendment to the GBBC. She will provide a hard copy to anyone who doesn't have it.

Short-term Rental Discussion

- Judi consulted attorney Walker as to whether the HOA is legally required to follow the Washington state business model.
 - She referenced the RCW # regarding Washington State HOAs and confirmed that we are not a 'legal business' and that we have never deviated from the requirements for HOA protocols (for which there is a distinct difference from legal businesses – eg, minutes are not taken for executive session (due to privacy issues), and votes are done outside of executive sessions).
- The attorney confirmed that our restrictive covenants are legal and enforceable (and upheld in court), with the board responsible for determining how to enforce them.
 - In the case of short-term rentals, our covenants makes it clear that this is regarded as a business, whereas leases are accepted under a different (non-business) jurisdiction.
 - The attorney confirmed that we are completely covered by our covenants/resolutions and saw no need to pay for rewriting or amending covenants – this is the purpose of resolutions.
 - Nancy Sharp asked about recent Supreme Court decision on the topic of short-term rentals... specifically, if a neighborhood's covenants disallow business/commercial use but allow residential rentals (but do not explicitly prohibit short-term rentals), they cannot be blocked even if the state tax codes considers homes that are used for short-term rentals a business.
 - Judi consulted the attorney about this and he did not feel this

represented a risk because all of the necessary documentation is in place.

- Nancy asked if anyone felt the need to take further action on this, to which there was unanimous confirmation that this matter is concluded.

Additional Legal Consultation – Judi Moore

- Judi pursued additional consultation with attorney Walker regarding the letter sent in response to the letter received by the NorthBluff association, to which Cris Sanguino accompanied her.
 - Judi asked if everyone received the letter.
 - The Water Company requested that it be sent to them as well.
 - Cris clarified that the attorney essentially dictated the letter, confirming our due diligence, and that we included a disc providing all of the supporting documentation.
 - Nancy clarified the background with the North Bluff community member feeling that our boat ramp is impacting their beach, in spite of all of the research that has been done that negates these claims.
 - She dismisses the data that has been presented and claims to have her own data, but has never provided it.
- Judi reported that \$275 was paid to attorney Walker for all of the recent matters described above.
- Sharon mentioned that she's been watching the construction happening in the North Bluff neighborhood and is wondering if Shoreline permits were pulled.
 - Cris will investigate

Annual Meeting – Judi Moore

- Judi that, based on the decisions made in the last meeting, she cancelled the reservation at the Farm and placed no deposit
- Nancy explained that she personally will continue wearing masks indoors, even though she is vaccinated and the restrictions are loosening (which many are not yet comfortable with)
 - Nancy proposed scheduling a Zoom meeting, preceded by a member letter and proxy ballot form for voting on the budget and new members (for those who don't want to attend the Zoom meeting), with an in person informational meeting scheduled later in the year (Autumn)
 - Bob proposed creating a single folder on the website providing all of the pertinent documentation in a single location

- Nancy will confirm if/how the Washington State restriction change impact the legality of continuing to hold remote meeting.
- Cyndy will draft the cover letter and Nancy will draft the proxy ballot
- Nancy Sharp made a motion to schedule/hold an annual meeting by Zoom for business purposes only, and to provide the membership a cover letter and a proxy/ballet in advance for to register their approval or disapproval of the budgets and the new board nominees, which can be submitted/registered by mail for those not in attendance (due date will be clearly established prior to Annual Meeting).
 - Cyndy seconded the motion and it was approved unanimously

Consideration of New Business

Member Comment –

- Judi wanted to restate/record that she did not volunteer to assist Richard with making a digital copy of our notebook.
- Regarding the Farmington property, the sheriff has agreed to increase monitoring due to increased activity and complaints. The owner has verbally agreed to remove the 33 tires, which have since been removed. The resident still has no drivers license and several cars are not registered, but they need to catch him driving in order for legal action to be taken. (911 should be called, with specific information as to which direction he is driving).
- Cyndy confirmed Rick's mailing address.
- Judi thanked Cyndy for all of the work she does and restated that she will not be continuing as president, so someone will need to step up.
- Lydia asked if there is any organized research regarding the ships that are anchoring in Holmes Harbor
 - The increase in ship traffic is a result of so much online purchasing and the backup of ships delivering goods.
 - Cris confirmed that we are an anchorage port and noted that this is happening all along the coast.
 - Cyndy recently saw that the Port of Everett reported that it is under the jurisdiction of Homeland Security federal waters.

Close the Joint Meeting

- The meeting was adjourned by Nancy Sharp at 10:15 am.

Meeting minutes were transcribed by Kristin Lind (member of the GBBC board), via

audio recording