

BYWATER WAY ROAD MAINTENANCE ASSOCIATION

Draft 2023 Annual Meeting Minutes

Date: Saturday, May 6, 2023

An Annual Meeting Notice was mailed to BWRMA Lot Owners on 4/06/23, stating that the meeting would be held on Saturday, May 6, 2023, and included the:

- ✓ 2023 Annual Meeting Agenda
- ✓ Proposed 2023-2024 Fiscal Year Budget and list of planned work;
- ✓ Fiscal Year 2022-2023 Board Report
- ✓ 2023 Maintenance Fee Collection Policy
- ✓ 2023 Proxy Vote Form

Additionally, on April 22, 2023, the above items were emailed to BWRMA Lot Owners with the:

- ✓ Draft 2022 Annual Meeting Minutes
- ✓ 2022-2023 BWRMA Audit Report
- ✓ Save-the-Date BWRMA Annual Meeting Reminder

Board Members Present: Jim McGillis, President; Tom Lewellen, Treasurer; Carol Glidewell, Co-Treasurer; Ilona Bell, Secretary; Members at Large: Don Layton, Bill Richey and Barbara Zinkil. **Absent:** None

Quorum: A quorum of at least 25% of BWRMA members, in good standing in our community, was obtained with 7 Board Members and 19 Lot Owners in attendance, with 9 completed Proxy Votes received. The list of Proxy Votes received and the meeting sign-in sheet are retained.

A. CALL TO ORDER: 10:01am

Jim welcomed new lot owners/neighbors to our community and explained this is a business meeting rather than a community town hall meeting.

B. SECRETARY'S REPORT:

APPROVAL OF 2022 ANNUAL MEETING MINUTES:

Polly Peters moved and Jeremy Senner seconded the motion to approve the Draft 2022 Annual Meeting Minutes, as amended with the correct spellings of Bill Richey and Wayne Richie throughout the document. The motion carried with none opposed and 4 abstentions. [Approved 2022 Annual Meeting Minutes](#) are posted at BWRMA.org

C. TREASURER'S REPORT:

2022-2023 Annual Audit—The annual audit, for the 2022-2023 Fiscal Year, was conducted by Lot Owners Polly Peters and Laurie Davis on April 6, 2023. The Annual BWRMA Audits are posted on our website: bwrma.org

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APPROVAL OF THE TREASURER'S REPORT:

- **Balances:** Tom reported total balance of \$56,307.34 in checking and savings as of April 3, 2023. Expected receipt of income in last year's budget was \$25,674 (estimated from historical records.). Actual income received was \$36,588.53. Tom explained the proposed budget figures. Discussion followed.
- **Budget:** Jim reported that the current amount of projected work will result in the amount of \$450.00 Maintenance Fees for the 2023-2024 Fiscal Year. Jim explained square foot costs of pavement repairs.
- Jim identified completed work in Fiscal Year 2022-2023 and then reviewed the planned minimal scope of work for all roads in the Proposed 2023-2024 Budget.

Discussion followed.

Paul Rouser moved and Dale Glidewell seconded a motion to adopt the Proposed 2023-2024 Fiscal Year Budget. The motion carried, with no objections and 4 abstentions.

The [2023-2024 BWRMA Adopted Budget](https://www.bwrma.org) is posted on our website: [bwrma.org](https://www.bwrma.org)

D. OLD BUSINESS:

- **2022-2023 Road Maintenance Activities**
Completed maintenance activities were addressed in the earlier budget discussion.

E. NEW BUSINESS:

- **Maintenance Fee Collection Policy**
Jim discussed maintenance issues and status of the actual amounts of money Lot Owners pay in maintenance fees. The Board sought legal advice from CONDOMINIUM LAW GROUP regarding fee collection compliance with the 2018 Washington State Law RCW 64.38. A policy was developed and provided to BWRMA Lot Owners in the mailed Annual Meeting Packet, as well as in the emailed packet. Jim clarified the Maintenance Fee Collection Policy with the following Board approved verbiage that was read into the minutes:

Collection Policy Guidelines:

1. The Board recommends that the policy is not retroactive and begins with the 2023-2024 Fiscal Year.
2. The Board will maintain payment records with delinquency, late fees and interest accrued, which will be reported to Title Companies at the time of attempted sale.
3. The Board will happily work with Lot Owners to develop a payment plan, should they have difficulty making payment during the grace period.

Discussion followed.

Karen Scholz moved and Tracy Clark seconded a motion to temporarily suspend the Maintenance Fee Collection Policy open motion, in order to advance to the next agenda item—Lot Owners with Partial Lots, both sides of Paradise Bay Road— that substantially impacts the Collection Maintenance Fee Policy agenda item currently open on the floor. The motion carried unanimously.

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Meeting progressed to the next agenda item.

- **Lot Owners with Partial Lots, both sides of Paradise Bay Road**

Jim presented a brief history of both Pope Resource Covenants and Bylaws. The language is confusing to the various BWRMA Boards, the County and even the Title companies. The Legal Description of Covenant #318666 covers all 8 divisions, but excludes Paradise Bay Road (maintained by Jefferson County) and White Rock II and White Rock III on the west side of Paradise Bay Road in Township 26; thereby, leaving out properties in White Rock II and White Rock III.

The second covenant contains the same legal description but excludes Paradise Bay Road and all of the parcels/lots on the EAST side of Paradise Bay Road. These 9 lots in Bridge View Estates and the 3 lots in White Rock Estates, that straddle both sides of Paradise Bay Road, have been considered part of BWRMA. Historically all of those 12 lots have been billed the annual BWRMA Road Maintenance Fee.

Discussion followed.

Since 8 of the 12 lot owners do not access our easement roads West of Paradise Bay Road, the attending Parcel Owners # 821355002, #821355003, #821355004 and #821355005 are pursuing amending our Bylaws to remove their properties from BWRMA. **NOTE: Since our Bylaws require a 30 day advance notice to the membership, a change was not possible.**

Micky Sinclair moved and Judy Denver seconded a motion for lot owners of parcels west of Paradise Bay Road to work with the BWRMA Board to determine an equitable Maintenance Fee. Tom Lewellen offered a friendly amendment to suspend maintenance fees for the identified undeveloped 8 straddle lots west of Paradise Bay Road, until the Covenants issues are resolved/updated. Judy Denver seconded the friendly amendment. The amended motion carried unanimously.

- **Maintenance Fee Collection Policy (agenda item resumed)**

Discussion continued.

Wayne Richie moved and Steve Whittmann seconded a motion to adopt the Maintenance Fee Collection Policy and Guidelines. The motion carried with no objections and 4 abstentions. [2023 Adopted Maintenance Fee Collection Policy](#)

- **Hidden Springs Road Options Advisory Vote**

Steve Whittmann moved and Micky Sinclair seconded a motion to take an Advisory Vote on the 4 options presented in the 2022-2023 Board Report for Hidden Springs Road. The motion carried unanimously.

Paul Rouser moved and Ralph Santamaria seconded a motion to present another Option (E) to open Hidden Springs Road. The motion carried with 4 abstentions.

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Option E: Relocate the existing cement barriers to the damaged area, to create one way access and watch for continued erosion. Discussion followed.

Advisory Vote: 5 votes

Option A: Close Hidden Springs Permanently: or postpone re- opening indefinitely.
Cost: Estimated minimum savings \$1,000 per year. Discussion followed.

Advisory Vote: 16+9 proxy votes

Option B: One Lane Section: Provide permanent outside railing with signal lights making the slide section into a one way road. Sliding will continue at an unknown rate.

Cost: \$3-5,000/ railing and \$1,100 / month for solar auto flagger. Discussion followed.

Advisory Vote: 1 vote

Option C: Widen Road: Cut back into the hillside and add 10' of roadway to add permanent outside railing. Sliding will continue at an unknown rate.

Cost— \$30,000- \$50,000. (\$400-\$660 per lot owner) Discussion followed.

Advisory Vote: 5 votes

Option D: Permanent Repair: Excavate road way down 15' and remove organic material. Replace and compact with clean fill dirt and replace road way; or clean lower hillside and place retaining wall to stop slide.

Cost--The Geotec indicated the permanent solutions could run \$100,000 + or \$1330 + per lot owner. Discussion followed.

Advisory Vote: 0 votes

Micky Sinclair moved and Lee Terry seconded a motion that Option A--to postpone re-opening Hidden Springs Road indefinitely—is the result of the Advisory Vote. The motion carried with 4 abstentions.

Lynn Johnston brought up concerns of paving issues in the access area of Fern Gully from Olympic Ridge drive. Jim will review the area with Lynn and advise the Board.

- **Fiscal Year 2022-2023 Planned Work:**

Jim and Tom discussed that minimal road repairs and maintenance would continue through 2023-2024, while a Long Range Committee determines the future courses of action.

- **Long Term Planned Road Maintenance Committee**

The Board determined that a wide cross section of Lot owners from our Community form a Committee to address long term/ future road maintenance issues on our private roads, that were paved nearly 20 years ago. Topics may include but are not limited to: pavement needs; repair options; scope and quality of work, bids, the what, where, why, when and how to assess, pay, cover, and promote required work.

Current Committee Members: Jim McGillis, Jeremy Senner, Wayne Richie, Lynn Johnston, Nancy McGillis and Paul Rouser. Other volunteers are always welcomed.

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F. COMMUNICATIONS:

- **General Communications**

The BWRMA Board was thanked for their service and commitment to our community.

- **2023-2024 BWRMA Board:**

All seven BWRMA Board members will continue for Fiscal Year 2023-2024: Jim McGillis, President; Tom Lewellen, Treasurer; Carol Glidwell, Co-Treasurer; Ilona Bell, Secretary; Don Layton, Bill Richey and Barbara Zinkil, Members at Large.

G. ADJOURNMENT

Judy Denver moved and Nancy McGillis seconded a motion to adjourn the Annual Meeting. The 2023 BWRMA Annual Meeting adjourned at **12:12pm**

Respectively submitted,
Ilona Bell, BWRMA Secretary

Attachments:
Approved 2022 BWRMA Annual Meeting Minutes
Adopted 2023-2024 Budget
Adopted Maintenance Fee Collection Policy with Guidelines

[BWRMA Website Annual Meeting](#) documents posted at: bwrma.org