

# BYWATER WAY ROAD MAINTENANCE ASSOCIATION (BWRMA)

**Title: BWRMA Board Meeting Minutes**

**Date: 7/24/15**

Board Members Present: Mike Peterson, President; Tom Lewellen, Treasurer; Ilona Bell, Secretary; Members at Large: Patti Hansen, Julie Stevely, Ralph Santa Maria, Dennis Wilds

Meeting called to order: 9:10am.

Board members briefly introduced themselves.

Attending community members introduced themselves, identifying their previous board service: Paul Rouser—former Board Member; Steve Baily, past Board President—recently retired; Ray Bundy—1st Board President

**Treasurer Report:** Mike reported \$13,089.92 in account savings and \$7,619.28 checking (Further details and questions tabled to later in the meeting, when Tom is in attendance.)

Old Business:

**Road Maintenance:** Road work \$2,045.65 for brush cutter; satisfactorily completed in June—coming out of our proposed budget 2015-16, as work was scheduled and completed in this fiscal year, that runs June 1-May 31.

Julie suggested the Board create a road work log of work actually performed. Julie motioned Ralph second to require written documentation of actual road maintenance work performed. Friendly amendment by Mike: documentation to include marked up maps with landmarks, change orders and other notes to be used as an historical record, billing backup and in the future bidding process. Dennis second the amended motion. Discussion followed. Motion carried unanimously. The Board will prioritize pending road maintenance issues from this year's committee's inspection on June 6th.

**BWRMA Covenants:** Julie explained the BWRMA covenant language, its implications and limitations. Discussion followed. Our roads are owned by property owners, running on their lots. It would take large sums of residents' money to bring them up to County standards, with no assurance the County would incorporate them into their system. Property owners are generally interested in keeping our roads in good condition with clear visibility for driving safely. Continuing this expected level of maintenance should be addressed by creating an overlay to our existing covenants. Mike moved and Patti Second a motion for the Board to pursue and develop overlay covenant language for clearly protecting property owner and Board liability. The motion carried unanimously. After the board develops said language, it will be sent out to membership for feedback and possible modifications. It will then be sent

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to an attorney to legalize formally into a covenant overlay in preparation for becoming a public record along with our covenants. Julie will ask Board members for help as needed. Julie should have some information for our next board meeting.

**BWRMA Contractors:** Dennis and Ralph provided a list of contractors recently used on various BWRMA maintenance issues. BWRMA needs contractors to be able to perform actual work required to properly address drainage and other road maintenance issues from recurring. ACLS was June's brush cutting contractor. It was recommended to advise property owners, via email, of the accepted contractor(s) performing work for BWRMA, in order to allow residents to contact them about possible personal property improvements, when their equipment is in our area.

The Board will address defining maintenance expectations, how to bill and pay for items and obtaining property owners' permission for said maintenance. Tom suggested including "Permission Language" on our maintenance fee invoice to read: "Payment of this invoice gives the BWRMA permission for the road maintenance work on the part of the road systems that is on your property. Any concerns should be communicated to the BWRMA prior to the road work being done." Tom stated this language will appear on the second and final notices for this fiscal year's annual assessment.

**Treasurer Report:** (Previously tabled.) Maintenance fees collected to date are typical with 40 property owners needing an email reminder to pay our current \$400 annual assessment. Typically, 30 more will pay which generates sufficient funds for anticipated regular maintenance issues. A Final Notice will be sent by snail mail for any remaining outstanding assessments. Not all residents pay and some only remit partial assessments.

Tom clarified that general Road Maintenance generally occurs twice a year—fall and spring. \$7,600 had been paid in the fall of 2014 under the old 2014-15 Budget. However, brush cutting work in the amount of \$2,054.65 actually occurred this June—in Fiscal Year 2015-16—and will be covered by the \$2,200 that was carried over to the pending 2015-16 Proposed Budget, to pay for the Spring brush cutting maintenance planned for the last fiscal year.

Tom provided an overview of multi-year budget allocations—including liability insurance with umbrella policy, similar to an errors and omissions policy, for Board members. General liability is protection for Board members against an individual homeowner policy claim.

Dennis discussed the bidding process to date, for this fiscal year's road and brush maintenance based on the June 6 Committee's findings. He summarized the bids from Lakeside Paving and Northern Asphalt, stating he personally viewed the requested work with each contractor on site and provided photos and maps of work being requested. Northern Asphalt bid is \$3,161 for gravel maintenance and repair of asphalt patching at transitions and alligaring being bid at \$5,659.80. The approximate \$8,800 total bid was far less than expected and many thousands less than the Lakeside Paving bid. Patti moved and Julie Second the motion to: Accept the bid from Northern Asphalt for paving and gravel maintenance and repairs for the Fiscal Year 2015-16, pending confirmation of the written

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scope of work. The motion carried unanimously, with Dennis abstaining as he has personal work pending with Northern Asphalt. Dennis, Ralph and Mike will meet on site with Northern Paving to verify the costs and scope for the proposed work.

Tom will incorporate the verified bid amount in the Proposed 2015-16 Budget and bring it before the Board at our next meeting scheduled for September. Excess maintenance fees collected for this fiscal year will be applied to the next fiscal year, likely reducing that year's maintenance fee amount.

**May Annual Meeting Draft Minutes:** Discussion clarified Board members consensus that a proposed 2015-16 Budget be completed by the newly elected Board in reference to Item #6 of the Annual Meeting Draft Minutes. For clarification, the following language will be added and the first sentence and will read: "There was a discussion regarding the lack of a budget draft; *implying the new board will set a proposed 2015-16 budget, due to current board meetings not having had a quorum to do so.*"

**New Business:** At the next meeting, Mike will provide an update regarding the two property owners who have "leaning trees" over roads within our association—another issue addressed at the Annual BWRMA Meeting in May. Trees leaning over or hanging on our roads are the responsibility of the property owner to remove. Both owners wanted to contact a contractor and information was provided to them by Mike. No response to date from the property owners. It was decided the Board create a list of neighbors willing to perform general road maintenance tasks within our community, and be made available in assisting absent landowners and/or residents with unexpected or potential road maintenance issues of these types. Also, check the Port Ludlow Newsletter, The Voice, for handyman and contractors offering such services. When informing the property owners of the potential safety and health risks from the state of their property, get them to respond to the matter by providing a contractor listing and ask for their insurance carrier information, should something happen. It was suggested to include these contact numbers when emailing the Board minutes to property owners.

The next Board meeting will be 9:00am, Wednesday, August 19, 2015 at Mike's home.

Meeting adjourned: 12:30pm.

Submitted by: Ilona Bell, BWRMA Secretary