

Blue Ribbon Farms Property Owners Association
Annual Meeting February 10, 2018
Minutes

Board Members present:

Gunar Clem, Treasurer

Laura Davis, Secretary

Members-at-large: Rachel May-Duerst; Rick Smith; Janet Oja

Board Member absent:

Mark Cheney, Chairman

The annual Blue Ribbon Farms Property Owners Association (“BRFPOA” or “Association”) owner’s meeting was held in the hangar of Board chairman, Mark Cheney.

Of the over 60 total in attendance, there were 39 voting Owners present. The Association By-Laws specify that a combination of 25% of the voting Owners and valid proxies constitute a quorum. The BRFPOA presently has 132 Owners on 172 lots. A quorum is 25%, which amounts to 33 Owners or proxies. Attendance satisfied the requirement without having to count the proxies.

With a quorum present, the annual Association meeting was called to order by Board member-at-large Rick Smith at 10:09 am, acting for Board chairman Mark Cheney. The members of the Board were introduced, and each Owner new to the community or attending for the first time was invited to introduce themselves.

The Board secretary summarized the minutes from the 2017 Annual Meeting. A motion was made and seconded to approve the 2017 Association meeting minutes as published on the Association website (<http://www.blueribbonfarmsassociation.com/archives.shtml>). The motion passed unanimously.

Proxy Voting

Although no voting would occur during this annual meeting, the Treasurer described a difficulty encountered in respect to several proxies received. This year the Association received duplicate proxy forms – some received in the mail and some hand carried to the meeting. In addition some proxy forms named Owners that were not in attendance as proxies. The proxy form specifies that in order to be accepted, proxy forms must be received by mail by the Friday before the meeting. Further, a proxy form that names as a proxy an Owner who is not in attendance would be considered invalid.

With member discussion on this issue, suggestions ranged from capturing the proxy information during meeting registration as done in the past, using mail only to capture a

postmark date, defining the policy more clearly, addressing the problem directly on the proxy form (e.g. with unique numbering) and following the process mandated by the CCRs.

Treasurer's Report and 2018 Budget

The balance in the Blue Ribbon Farm Property Owners Association's account as of the end of 2017 was \$34,000. At the end of 2016 the balance was \$33,000. The major reason for the net increase in 2017 was a \$1,600 one-time payment by one member for delinquent dues and late fees.

The 2018 budget can be found under "Archives" on the BRFPOA web page. Following the mailing to Owners, a calculation was edited to reflect the correct number of BRFPOA lots.

Comparing 2017 actual spending to budgeted amounts: less was spent on insurance and maintenance; more was spent on legal fees. Legal costs included the costs to place liens and lawyer fees regarding questions of CCR compliance. Actual total spending was \$660 under the budgeted amount.

Approximately \$690 was spent on a solar system to replace PUD power for the airstrip sprinklers. Since PUD power costs a minimum of \$30 per month and actual usage is far lower, the cost of the solar system will be recouped in under two years.

Currently there are four members who have delinquent accounts totaling \$2,400. Liens have been placed against all of these accounts.

The proposed 2018 budget is similar to the 2017 budget but allocates less for maintenance and insurance and more for legal costs. It also allows for additional annual picnic expenses and a new item of \$500 for disaster preparedness. The 2018 revenue is based on \$50 per lot annual dues, for a total HOA revenue of \$8,600.

The books are available for review. If anyone is interested, please contact the Treasurer.

After the Treasurer's report and discussion, a motion was made and seconded to accept the proposed 2018 budget as written. The motion was approved by unanimous consent.

Old and Continuing Business

Disaster Preparedness Update

The Secretary reported on the community efforts toward disaster preparation. The Map Your Neighborhood (MYN) program promoted by Clallam County Emergency Management essentially provides the framework for a "neighborhood response plan" – providing our local community with tools to help us organize a timely response and take care of ourselves in

an emergency situation, when outside help is unavailable. In Autumn 2016, County emergency planners offered two presentations for the BRFPOA on disaster scenarios and the logistics of neighborhood and personal preparations. In 2017, the 40 participants in the MYN training were invited to three additional locally organized workshops: to tailor the program to BRF, map our neighborhood in smaller units, and start to gather key information for an emergency situation, such as contacts, vulnerabilities, and potential hazards.

The community will continue this work in 2018. Additional steps will include drafting protocols for first-aid/comfort, as well as for communications, including recommendations for personal radios. Emergency first-responder storage boxes in several central locations will be built over time starting with funds budgeted this year; donated tools will help keep costs down.

Success of the neighborhood disaster response will require increased participation and an expanded volunteer base. From simply providing the location of your propane tank to an interesting weekend-long training opportunity – there are many ways to participate. If interested, please contact the Board secretary or your local MYN neighbors.

Following the Disaster Preparedness report, a member asked whether any of our pilots are involved in the County Emergency Management use of volunteer pilots and their private aircraft to assist in an emergency or disaster situation. At least one BRFPOA pilot in attendance is participating in that effort. Understanding from members is that emergency responders may use the airstrip to serve the region during a disaster event.

Speeding on Greywolf and Buckhorn

Board member Rick Smith reported on the speeding issue, in chairman Mark Cheney's stead. As posted online in the January 28, 2018 Board meeting notes, many residents have reported vehicles exceeding the posted speed limit of 25 mph on Greywolf and Buckhorn Roads. As County roads, this is a county law-enforcement issue. With enough complaints directed to the Sheriff's office, a deputy would come out to selectively enforce. The Board asks that you discuss the problem with your neighbors and guests. Please report to the Sheriff's office as necessary, with exact times and vehicles if possible.

<http://www.clallam.net/Sheriff/contact.html>

Member discussion included speed bumps as a solution. A few members spoke both for and against speed bumps.

Runway Sprinkler System Upgrade

Board members removed the old irrigation pump from the pond. As described in the Treasurer's Report, they converted the irrigation power supply to solar power. Since the

pipes are pressurized, the power required is nominal.

Annual Picnic and Neighborhood-Appreciation Flights

The 2017 annual picnic provided perfect weather for flying midday, and a record turnout of almost 100 members and guests. Six pilots offered over 40 rides.

With the raising of hands, the community expressed interest in a 2018 Picnic. The Board will be requesting additional volunteer pilots with larger cabin capacity and will announce the 2018 date when it is set. The July to beginning of August date is based on seasonal weather patterns but varies each year according to other events as well as availability of pilots and equipment. Discussion regarding preference for Saturday or Sunday was mixed.

Call for New Board Members

The Board is looking for two additional candidates for Board positions. The By-laws outline Board organization as two members replaced each year. Trisha Davis resigned mid-term; her member-at-large position was filled by Janet Oja as prescribed in the By-laws.

Larry Keene resigned prior to the Annual Meeting and Rick Smith has completed his term. (Association By-laws allow Board members to be re-elected annually.) The Board is also looking for assistance with the Board website.

Please contact Board Chair Mark Cheney to discuss joining (or re-joining) the BRFPOA Board or if you have experience in website programming and management.

CCR compliance and enforcement issues

During 2017, several Association members formally raised specific Covenants, Conditions and Restrictions (CCR) compliance complaints with the Board in regards to RV parking, easements and setbacks, and house color. As the intended meanings for the particular CCRs that address these issues was not clear to the Board, the Board consulted with local attorney Alan Millet for his legal interpretation. Mr. Millet provided the BRFPOA Board with a written opinion with respect to the meaning of these CCR issues and his recommendations on enforcement. His letter is posted on the Association website under the "Archives" tab, along with the CCRs and Bylaws. He found some of the CCRs to be vague in language and expressed that litigation can be costly and the decision often left to the discretion of the presiding judge. Although per the Association Bylaws, enforcement is a primary function of the Board, members also have the same enforcement rights individually. The lawyer recommended that the Board, for the most part, leave enforcement of the alleged CCR violations to the individual property owners affected. The Board will continue to pursue matters of non-compliance with individual property owners where it deems appropriate to the needs of the community, following a 2/3 vote of the Board.

1) RVs: The RV parking compliance issue is being pursued by the Board based on the interpretation provided by Mr. Millet, allowing the parking of recreational vehicles subject to county zoning code building-setback requirements. One of the formal RV parking complaints is still under review; the second has been found to comply with the CCR interpretation provided by Mr. Millet.

2) Easements and Setbacks: Mr. Millet has recommended to the Board that enforcement of the general easement be left up to the individual Association members impacted by the potential violations. The Board continues to look for deeds that mention the setbacks, or additional legal documents describing setbacks that may be recorded but not digitized.

3) Although most paint schemes seem to follow the CCRs, determining whether an exceptional house color is in compliance can be difficult because of fairly subjective CCR wording. Following possibly extensive legal fees, the determination would likely fall to the ruling of a judge. The Board therefore is looking to the membership for guidance as to whether or not to add clarification to the CCRs by amendment. As Millet described to Board representatives, the Association “can’t impose a new restriction by the amendment process”. If the Association membership is sufficiently interested in pursuing clarification of the CCRs to meet the generally well understood intent of the paint-color language, the Association would adopt an amendment that defines a process for selection and/or review of residential paint colors. The Association By-laws prescribe the process of amendment.

The Board proposed surveying the BRFPOA membership to see whether there is sufficient interest in amending the current residential paint-color CCR to clarify intent and meaning. Proposing a CCR amendment requires 50% approval by Board members *or* by Association members. Although the Board has the authority to draft an amendment with 50% approval, the Board has decided to first formally gauge community interest with a vote. The structure of this vote will be described by email and included with the survey.

If the community indicates interest in pursuing an amendment, the Association Board and an attorney will draft the amendment. Then, for the CCR amendment to be accepted, 67% of BRFPOA Voting Owners (172×0.67 , or 115) must vote yes.

The Board suggested that the amendment involve the development of an architectural committee to review new paint color. The Board opened the meeting to discussion of a CCR amendment, an architectural review committee or other suggestions for clarifying the paint CCR. The comments and dialog of members present are summarized below in approximate order:

- Other aesthetic issues not covered by the CCRs are more concerning than paint color.
- Focus on CCR enforcement without adding any more restrictions.
- Consider legal fees.
- Formal complaint: They placed complaints with the Board and the County in 2017, but a neighbor still hasn't completed their house in the timeframe prescribed by the CCRs.
- If natural/subdued paint colors are important to the community, options that would not add restrictions to the CCRs include an architectural review committee. Another option could be a palette of colors; would you want to be limited to a list of approved colors?
- An architectural committee is good, rather than specific rules and regulations. If it doesn't work, disband it.
- No interest in an architectural committee or anyone else approving their house color. They would not change the color if told they were not in compliance.
- The loose CCRs allow for freedom of personal expression. Do not go overboard to constrain Owners.
- A few members present were concerned about RVs. A cluster of recreational vehicles is occupied seasonally on a lot with no residence.
- Architectural committees sometimes get more restrictive over time. Ensure there are no new restrictions.
- Restriction would be limited to clarifying the color CCR.
- Add lights to the survey: limits on nighttime usage and use of a motion sensor.
- No new restrictions.
- Consider the additional efforts and costs involved in enforcement as well as current lack of success in enforcement. The \$30,000 in reserve account would be quickly exhausted.
- Make architectural committee only for new construction.
- Motion made to create a seven-member committee to address questions like those being discussed. Motion was not seconded.
- The entire community should address these questions, not a committee. Support for a survey to gather input of the entire community.

The discussion then turned to methods of survey and the value of an online survey, considering that a number of Owners are not active online. The Treasurer estimated the cost to mail all property Owners at about \$150. Participants expressed support for a USPS mailed survey, and several expressed willingness to help stuff envelopes.

Motion made that the Board move ahead with a survey to all members to include house paint colors, parking of RVs and exterior lights. The motion was seconded and approved. Two voting Owners objected to the motion.

A motion made to conclude the meeting passed with unanimous consent and the meeting adjourned at 11:48 am.