

## MINUTES

### Blue Ribbon Farms Homeowners' Association Board of Directors December 8, 2023 1p.m. The Nichols' Home 202 Land's End

1. The meeting was called to order at 1pm by Chair Mark Long. In addition to Chairman Long, also present were board members Andre Baritelle, Carmen Lynaugh, Natasha Merkuloff Nichols, Dave Woodcock, and Drew Zacharias. Board member Paul Allsing was present via phone as was Cindy Allsing. Members of the public were Mr. Corby Somerville and Mr. Gary Gordon.
  2. There was no public comment.
  3. It was moved by Mr. Long, seconded by Mr. Baritelle and unanimously carried to approve the minutes of September 20, 2023.
1. Treasurer's Report
    - a. Current account balance is \$66,984. Ms. Lynaugh reported that while we are little bit over in a couple of line items, overall, we are within the approved budget. Mr. Long mentioned that while we will need to start working on next year's budget, much depends on the outcome of the Appellate Court's decision to the Mason appeal. A call was made to the court before this meeting and there is still no information available about a decision.
    - b. Ms. Lynaugh told the board that the Association's long-time bookkeeper, Kathleen Temple, has an ongoing medical challenge and will no longer be able to perform bookkeeping for the HOA. The board would like to recognize that Kathleen has been a great bookkeeper, and her work has been appreciated. There was general discussion about the duties which a paid bookkeeper would perform and what the Treasurer position performs. Ms. Lynaugh has been in contact with Ellen Shanks of Sherry Bennett's office about the job. Ms. Shanks handles many other HOAs and is familiar with what is required. Ms. Lynaugh will be contacting some other people regarding the position and will report back to the board at its next meeting.
  2. Airstrip Ingress/Egress
    - a. The surveyor has placed markers indicating the location of the southerly edge of the 60-foot easement along Tyler View and Lands End using the original Blue Ribbon Farms Subdivision Maps and other recorded documents. Mr. Long commented that while it doesn't mean that some low landscaping and such could be within the easement, there cannot be tall items or hardscape as the easement is for a taxiway, but further determinations will be needed. To identify precisely where the easement is, measurements will be made marking the centerline of the easement on the existing pavement. Then obstructions within the easement may be identified. The pavement is 15 feet wide. Pilots present said that was sufficient for the wheel span of a plane. It is the wingspan that is the issue due to the current impediments, which are primarily mailboxes. Ms. Lynaugh reminded the Board that the road is in an easement, and obstructions of the easement cannot be ignored. Ms. Lynaugh also informed the Board that she met with the County regarding the Kattan property lots, and the County stated that improvements to the Tyler View existing roadway would NOT be required by the county as a condition of any development. The current CC&Rs of the HOA state that the cost of improving and maintaining roads shall be shared equally by the owners of the lots which border the private road and all those lots which have access to a public road over the private road.

There was discussion about the impediments to a plane taxiing along Tyler View and Lands End. Mr. Gordon , who lives on Tyler View, asked whether the Board was looking at repaving Tyler View? Mr. Long responded, “No.” It was noted repaving, if done, would need to be paid for by the lot owners as specified by the CC&Rs. There was also discussion about post office requirements for placement of mailboxes. Mr. Zacharias told the Board he’d spoken with the post office and was told that moving the mailboxes closer to the houses was not an issue for delivery; the issue seems to be turnaround and the mail delivery person not getting out of the vehicle. Mr. Gordon was asked his opinion of moving the mailboxes altogether to a central location; he responded he didn’t have a problem with that, personally. There was acknowledgement that there will likely be pushback from the property owners, especially those with hardscapes in the easement, even though they should have received information about their parcel being part of the BRF HOA and made aware of the CC&Rs they purchased the property.

After much further discussion, a path forward was identified: it was decided to first mark the actual centerline of Tyler View and Lands End at each of the surveyor’s stakes. Then compose a letter to the property owners along Tyler View and the easternmost lot of Lands End containing the information about the 60’ easement and the encroachments in it. The letter should indicate that a meeting with those property owners would be forthcoming to gain their input on solutions to this issue. Ms. Lynaugh recommended discussing this issue with an attorney because the easement is the ingress and egress to the runway and needs to be in place and preserved according to our CC&Rs. Specifically, if the property owners are adamantly against any action, what will the Board do to preserve the easement.

### 3. Violation issues

- a. The Board has sent two letters to Mr. Richardson; the second was returned as undeliverable. After the last Board meeting, Mr. Zacharias and Ms. Lynaugh met the County Building Department regarding the Richardson property on Kitchen Dick. The County told them that the county cannot enforce anything except the two RVs on the premises. The County indicated they would send a notice. Ms. Lynaugh contacted the code enforcement office handling the violation and learned that both County notices were also undeliverable. Last week Ms. Lynaugh spoke again to the County. It appears the property listed as the owner’s address is a vacant parcel and has been sold. The County does not have a current address for Mr. Richardson. Environmental Management is also trying to reach Mr. Richardson about a violation. Basically, there appears to be no way to locate Mr. Richardson but the County said if they get an address, they will share it with us. This engendered a discussion about whether the HOA should have fines in the CC&Rs violation enforcement. It was acknowledged that an attorney’s advice on this matter is needed.
- b. All lots have completed mowing as required.

### 4. Reports from Standing Committees:

- a. Insurance Committee – Ms. Allsing, a member of the Insurance Committee, reported that she was able to find a general liability policy for the HOA at a very good price. The quote is from The Partner’s Group Philadelphia Insurance, an AA rated admitted carrier, like Chubb, our airport insurance carrier. The price is \$1530 for \$1 million in general liability

coverage. They require the cover page of our airport policy and a letter confirming that we are not aware of any outstanding liability issues. Mr. Somerville, a member of the insurance committee, offered to compose the letter. Ms. Lynaugh told the board that the budget for insurance is \$3500, of which \$997 remains. However, she reminded the Board that the bottom line of the budget shows is positive, so in her opinion, we have the funds to approve this policy. There was discussion about whether we should wait until after the association meeting to approve this insurance. It was mentioned that waiting until after the general meeting could result in an injury for which we are not covered. After more discussion about the pros and cons of obtaining the insurance now as opposed to later, it was moved by Mr. Long, seconded by Mr. Woodcock, and unanimously carried to purchase the insurance now.

- b. Pilots' Committee - Mr. Baritelle reported that at the pilots' committee meeting it was noted that the runway was too soft. This proved to be an overwatering issue and was resolved. It was also noted that when an issue is noticed with the runway, the person with knowledge of the issue should notify the Airport Committee immediately so investigation and action can be taken. The Board also mentioned that the airstrip had been rolled by Mr. Nichols, which resulted in a much smoother runway. Members of the committee had read an article about an incident in Oklahoma where a young woman who was mowing a runway was hit and killed by a pilot who didn't see her mowing. Those in attendance at the meeting were very concerned. After discussion and research, Mr. Baritelle constructed a solar powered, self-contained trailer with a very large "X" which lights up to alert our pilots. Mowers will need to remember to activate the trailer. The Board thanked Mr. Baritelle for his contribution to the HOA.
- c. Curve Committee – although not specifically agendaized, Mr. Baritelle notified the Board that the County approved a line item in their 2024 budget for Kitchen Dick/Lotzegesell curve. It appears they may need to show action on the project to keep the federal funding in place. It doesn't appear that actual construction work will begin until 2025. for it happening. As part of the project the County will be re-locating the main road in the Recreation Area further from the bluff. It appears they are working on preliminary design and have at least one engineer working on it.
- d. Nominating Committee – Mr. Zacharias reported he's spoken to several people, including some newcomers. While there is some interest in serving on the Board, uniformly people say that they do not want to run for the Board until the Mason issue is resolved.

## 5. New Business

- a. A general discussion about the upcoming budget ensued. Ms. Lynaugh mentioned we likely need to budget funds for an attorney who is familiar with HOA matters, hopefully someone local. as we'll need advice about a CC&R revision, enforcement of violations and other issues. We likely need to look at the amount we currently budget for bookkeeping considering our current bookkeeper retiring. And we need to look at creating a line item for website re-design and management. Currently we have a volunteer who used to live here, Dan Masys, who has continued to keep our website functioning, but he wishes to resign, and our website needs some serious work. Also, there are only a few people mowing the runway and while this is not an issue this time of year, we may need help during high season. Mr. Zacharias suggested developing a calendar for mowing, maybe folks taking a week and doing it when they can during their week. It was hoped a local

attorney would be conversant with the Washington Code for HOA's. Ms. Merkuloff said she would get a few names and hopefully proposals for website work. Mr. Zacharias and Mr. Somerville will contact some attorneys. Folks were asked to get their information together quickly.

- b. The Annual Membership Meeting is set for February 10<sup>th</sup> at the Dungeness Schoolhouse. Ms. Lynaugh has sent off the check securing the rental. The goal is to mail proxy forms and other information to HOA members 30 days before the meeting, so folks have time to return the proxy forms. Mr. Zacharias was excused at 2:50pm. A request for people to sign up for the committee to look at what updates to the CC&Rs are needed will be on the agenda. Again, the Board discussed how to proceed with the CC&R update and specifically how to handle violations. The Board agreed with Mr. Somerville that there is a large difference between the cost of an attorney drafting the new CC&Rs versus an attorney reviewing CC&Rs that have already been drafted. Ms. Lynaugh pointed out 116 votes (lots) or 67% approval is needed to enact any change to the current CC&Rs and this may be a difficult and long process. Ms. Lynaugh stressed that we need attorney advice sooner rather than later to help the Board with the process and assist with current issues.
- c. Ms. Lynaugh told the Board the following items need to change on the website. The Board agreed.
  - 1) Change number of owners to 133 and number of parcels/lots to 172
  - 2) Change the amount of annual dues "Annual association assessments are determined yearly at the annual association meeting." It was noted that if a person wanted to see what the annual dues have been, they can look at the minutes for the annual meeting.

6. There was no Closed Session

7. The meeting was adjourned at 3:15pm.

Respectfully submitted  
Natasha Merkuloff Nichols, Secretary