

# Nisqually Estates HOA Annual Meeting 2023/24

## Nisqually Estates Homeowners Association

Sunday October 8th at 11:30am  
Via Hybrid Google Meets & Farrelli's Pizza

### 1. Homeowner Sign-in and Proxy Verification:

(34 attendees) Melissa & Nathan Worthington(96), April Newman(83), Elena Pilor(9), Rob Mendel(70), Steve & Miyuki Jasper(1), Robyn & Joe Brandfas (67), Kathy Fields (80), April & Paul Alimbuyao (6), MaryBeth Zuker (90), Nino Cintron-Ferrer & Delixa Roche Martinez (93), Linda & John Newcomb (24), Linda & Justin Suina (29), Michael Owen (15), Andrew & Valentia Rigel (111), Nathalia & Amos Sang (114), James Taylor (33), Michael & Ashley Davenport (12), Jessica Symanski (71), Kevin Quick (78), Mathew Thornberry (99), James Stein (14), Richard Good (81), Keri May (108), Jonathan & Sara Dansby (109), Ken & Jamie Hill (72), Linda Hill (100), Rindi Snyder (85), Jamie & Roger Dover (49), Samantha Semler (117), Cory & Amanda Ellis (42), Jeremy Hamitton (119), Scott & Janine Mathis (103), Christopher Bodeau (34), Donald McCall (113),

(20 Proxies) Marian Devol (91), Eric & Staci Dilg (82), Betty Boster (10) Bonnie & Larry Miller (13), Mark & Angel Gilliland (84), Patricia Wheeler (30), Wendi Bullard (17), Mona & William Graham (25), Michelle & Nick Thompson (102), Shawn & Kari Christenson (95), Tam & Bao Pham (101), Jack Chenier & Jackie Tupper (88), Kara & Devin Jones (98), Robert Faulconer (116), James Wilson & Anna Temple (51), Kristopher Russell (110), Kenneth McCulloch (66), Michael & Annette Steward (120), Michelle Lyle (60) Robert Sagawinia (86)

### 2. Quorum

Reached if 30 members are present or we have proxies per our bylaws. Quorum Achieved with 54 homeowners resented. Meeting Opened: 11:55 am

*Announcement: recording of any part or whole of this meeting is prohibited by Washington State. It is a crime to record a private conversation without the consent of all participants*

*Section 10 of our By Law's allow for telephonic meetings: the members may participate in a meeting of the members by means of a conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other at the same time. Participation by such means shall constitute presence in person at the meeting.*

### 3. Motions/Approvals

a. April Newman made the motion that effective with the next Board, all Bi-monthly and Annual Meeting minutes are recorded in a live document during the meeting, and a draft posted to the website within 2 weeks so as not to prevent homeowners ability to view the minutes within a reasonable time frame Second by Melissa Worthington **Approved 3:1**

**Question:** Why were the Minutes not made available or ready?

**Answer:** (April) Board members have not been given drafts to review and have not been provided in the drive folder.

(Rob) all minutes are in the file there must be a problem with permissions issues with files. Other Board members disagree with Rob's answer

b. Rob Mendel made the motion to ratify the 2024 budget for approval. Second By Elena

Board Approved 4:0 Budget passes. 51% of membership not met. Therefore the budget is ratified.

#### 4. Introduction of Current Officers:

- a. President: April Newman loves knowing neighbors and being involved in the HOA
- b. Vice President Melissa Worthington, I have been in the neighborhood since 2016 loves being able to help and be part of the neighborhood. Has only missed one meeting since being here. It was great to see new and old homeowners. It has been a while since.
- c. Treasurer: Elena Pilor, been here about 4 years but only a homeowner for two. Is a mother of 5 boys.
- d. Secretary: Rob Mendel- been here since 2000, has been part of the HOA on and off since
- e. Board Member at Large: Vacant

#### 5. Introduction of Nominees

- a. Michael Davenport- Been here for little over a year, Is a contractor, and believes he can help get things done.
- b. Joe Brandfas -
- c. Justin Suina - has been to all the meetings and would like to help the HOA, he believes he will be able to help communicate with the community and plan for the future.

#### 6. Financial Report: Elena Pilor & April Newman

- a. Savings (Reserve) - \$39,601.29 Checking (Operating) - \$30,609.17
- b. Bills
  - i. Lawn Care - \$1,216.03 /mo on Auto Pay (new Cost goes in effect in Jan 2024)  
*Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$12,160.30*
  - ii. Water - \$1065.22 Water turned off Sept 15<sup>th</sup> 2023  
*Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$1,353.00*
  - iii. Back Flow- \$0 (only one active) *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$45.00*
  - iv. Lawyer - \$1,688.98 (459.98 Lien Release) *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$5,025.48*
  - v. Insurance - paid up until March 2024 *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$2,170.00*
  - vi. Email/Web/Domain *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$151.93*
- c. Other Expenses
  - i. Stamps/labels/envelopes - \$13.70 *Jan 1<sup>st</sup> 2023 - Oct 8<sup>th</sup> 2023 - \$218.92*
  - ii. Post Office - Due at end of month
  - iii. Geo Engineering - \$2,995.00 (one time expense)
  - iv. Reserve Study - \$395.00 *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$790.00*
  - v. Secretary of State - due at end of November 2023
- d. Deposits besides dues
  - i. Violations – \$2,865.32 *Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 - \$3,899.88*
  - ii. Title Transfers- \$0 (two homes currently pending)  
*Jan 1<sup>st</sup> 2023 -Oct 8<sup>th</sup> 2023 – (4) \$250 each - \$1,000*
  - iii. Liens – \$1,182.52
- e. 2023 Dues status 120 of 120
  - i. First billing November 2023, Due Jan 1<sup>st</sup> 2024
  - ii. Late fees start Jan 15<sup>th</sup> 2024
  - iii. Liens to be placed 30 days after due date (March)
- F. Lien Status
  - i. 2 Liens- 1 properties
- g. Budget- \$300 for a year Due Jan 1<sup>st</sup> 2024 Approved See motion above
  - i. Lawn Care- \$41 a month increase.
    1. Added to contract: Moss removal from curbs and mailbox stands bases once a year, missing HOA properties and fertilizer visits.

*Question: Does this include tree trimming they are hitting the top of our vehicles and covering the stop signs?*

*Answer: Lawn Pros trims up to 12 feet, Melissa is in contact with tree trimmers and collecting bids to get the trees trimmed above 12 feet. Hoping to have it done by the end of this year. Trees in front of homes is responsible of homeowner.*

ii. Insurance \$60 increase for the year

1. Personal Liability coverage was increased from \$5,000 to \$10,000.

This is important in protecting the HOA in the event that someone is injured on HOA Property.

iii. Attorney- We have averaged \$4,000 in spending per year over the last 5 years, but only budgeted averaged \$1700. This category also includes contract review for the upcoming retaining wall at the detention pond on 105th, replacement of the back fence at that same location, major tree trimming at the main entrance, and clean out of catch basins in all 5 of our detention ponds. We are estimating that contract review for the listed projects will cost around \$5000 -\$6000 total. This would leave approximately \$3000 for lien placement (yes, this is recovered eventually, but must be included as we are not guaranteed a timeline to recover it), and general counsel. General council is for any unforeseen issues with HOA owned property, homeowner issues, and etc.

*Question: Is this the result of litigation that took place this year or for the foreseeable future?*

*Answer: As for legal over the past couple budget cycles the Board has gone over budget with attorney/legal fees because of the unforeseen and perpetual need to seek counsel for some ongoing issues. If the ongoing issues do not subside, then it is in the best interest of the Board to plan on these expenses, to avoid going over budget again in 2024. As previously sent out, we stated what the Legal funds are for. There is a possibility that the Board will not need to use the budgeted funding and can be rolled over in future budgeting.*

*Question: Why so much spent on legal in 2022?*

*April stated she's sorry she didn't state it last year, as it was her first time running an annual meeting.*

*Answer: Break down for 2022 stated. Roll over from 2021- \$3,256.99, Pathway contract \$1,332.00, Liens- \$6,111.61 (Prepare \$3,226.79 Release \$2,884.82) Recovered \$5,189.67 (as of this meeting one left from placement), General counsel \$3,986.06 (\$1,912.50 on a homeowner)*

iv. Reserve Funding: This is what funds the upcoming projects. The amount in the budget is slightly under what the Reserve Study Specialists recommendation for a monthly contribution was. The Board unanimously agreed to keep the contribution at the same amount as the draft sent to Homeowners as part of the Annual Meeting Packet, so that dues would not increase further.

*Question: Why did we do a reserve study?*

*Answer: We were required after acquiring an estimate that was less than 5% of the annual budget*

## **7. Architectural Control Committee - ACC Report (skipped due to time)**

*Question: The neighborhood is starting to look run down. What is getting done to help enforce the rules? The House across from me has Tons of cars. What can we do about parking?*

*Questions: There is a basketball hoop looking really bad at the end of 105<sup>th</sup> who is responsible for it?*

*Answer: (Rob) We have multiple members of ACC go around and observe and send out notices. Last time was a walk around in September.*

*Suggested- If you need help please reach out, Others are more than willing to help and provide support for those that need it.*

## **8. Old Business**

a. Yard Sale (Skipped due to time)

b. Wetland, Wetland Buffer, Easement

i. The fence that runs from the second entrance to the golf course along 105<sup>th</sup>, the Neighbor property on that side has sent in complaints of Homeowners dumping and claiming the HOA owns the fence. Per our documents it is the only one shown on our plat documents with a note to see the momentum between the owner. It also states it in our CC&R but it's not clear if it's that fence. It is unclear if it was pasted on to the homeowners on that side to do the maintenance. It is also unclear if it needs to be 8 feet and wood as well. April brought up the question of what they would think if we brought this up to the lawyer.

**Answer:** Special meeting to discuss more if needed. further research is also needed. Michael Davenport will help the new board with going over documents.

- c. Detention Pond Maintenance (quick discuss)
  - i. Still need to get with the city, the original agreement was in archive, is out of date, missing information, and the city is at fault just as much as us for not following through. Michael Davenport is working with Melissa to clarify questions for the city.
- d. Reserve Study (touch on a little above)

## 9. New Business

- a. Nominations and Elections to the Board of Directors for the coming Year. Last call for Ballots
  - i. April and Rob Counted
- b. Ballot results and Voting (54 present/proxy)
  - i. Melissa Worthington - **43 Votes**
  - ii. April Newman - **43 Votes**
  - iii. Elena Pilor - **31 Votes**
  - iv. Rob Mendel - **6 Votes**
  - v. Michael Davenport - **47 Votes**
  - vi. Joe Brandfas- **20 Votes**
  - vii. Justin Suina - **33 Votes**
  - viii. Write in- Johnathan Dansby- **1 Vote**

**Budget-** Not enough homeowners were represented at the meeting. We needed at least 7 more to have 61 homeowners represented and 35 more votes against the new budget to reject it. See motion above.

**Audit-** Not enough homeowners were represented at the meeting to officially vote on this. Needed at least 7 more to have 61 homeowners represented and at least 32 more votes to approve doing an audit with special assessment.

**By laws-** Not enough homeowners were represented at the meeting to officially vote on this. Needed at least 26 more to have 80 homeowners represented and at least 46 more votes to approve starting making changes to the bylaws.

- c. Halloween Décor Contest- we are still having one information should be out here soon. Michael Davenport says he is looking forward to having a friendly competition and plans on beating Melissa this year.
- d. Christmas Light/Décor Contest- April would like to do a Troop deployment box for those in the neighborhood that are deployed over Christmas. Along with a decoration contest.
- e. Nominations for ACC Committee Members for the Coming year (Skipped due to time) Kevin Quick after meeting asked to join ACC.

## 10. Open Forum for Comments and Questions:

*Question: Can we change the Due date for dues so it's not right after Christmas? Can we do Quarterly?*

*Answer: This is something that has to be changed in our CC&R & By laws.*

*CC&R requires an affirmative vote of members of 75%(102 home) and a meeting with a quorum.*

*The Bylaws require 2/3 (80 homes) of the memberships and a meeting with a quorum. If we get enough homeowners to vote on starting the process of updating the Bylaws this could be added to the list.*

*Question: What will it take to dissolve the HOA?*

*Answer: From Melissa's quick research RCW 23.86.250 and RCW 24.06.275 requires 2/3 (80 homes) of membership and a meeting quorum. I believe this is something that will need more information on.*

*Question: In the next year can we look at the cost of admin items and going more digital?*

*Answer: It is required by Washington state that we need to send notices to all homeowners. We will look into it more, if we can do both.*

*Question: Can we look into a Management Company?*

*Answer: In the June 2022 meeting we discussed the research and contacted management companies we found. We would still be required to have a Board, create and manage the budget and the association. We would still have to do the work. From that research our dues would have gone up*

*\$400+ from \$189 and would have been over \$600 a year. Tripling the budget at the time.*

*Comment/suggestion- several homeowners stated they are willing to help homeowners that need help with Dues. (Notify the Board if you will need help this year and we can get something set up.)*

*Comments/suggestion- There should be no trees around ponds. (Board will look into it)*

**11. Next HOA Meeting will be held:** Monday December 5th, 2023 at 6:00pm via Google Meet.  
HOA Meeting Schedule - December, February, April, June, August, Annual meeting in October

**12. Adjournment: Meeting Closed at 2:38 PM**

**Minutes approved by proper vote of HOA Board as indicated by Signatures below**

Esigned: ELena Pilor 2/11/24

Esigned: Melissa Worthington 2/11/24

**Nisqually Estates HOA Annual Meeting 2023/24**  
**Sunday October 8th at 11:30am**  
**Via Hybrid Google Meets & Farrelli's Pizza**

**Executive Session following Annual Board Meeting 10/8/2023**

Melissa Worthington - President

Michael Davenport - Vice president

April Newman - Treasure

Elena Pilor- Secretary

Justin Suina – Board Member at Large

Motion made by Melissa Worthington and Second by April Newman to approve Board members into the Positions listed above to serve as the Board of directors for 2024. Approved 5:0

Motion made by Melissa Worthington and Second by Elena Pilor to approve the removal of Corrine Wolford from the ACC. Approved 5:0

Motion made by Melissa Worthington and Second by Micheal Davenport to approve adding Kevin Quick on to the ACC. Approved 5:0

Motion made by Melissa Worthington and Second by Justin to approve Linda Hill and Staci Dilg to remain on the ACC. Approved 5:0

Motion made by Melissa Worthington and Second by April Newman to approve removal of Elena Pilor from the BECU Bank accounts. Approved 5:0

Motion made by Melissa Worthington and Second by April Newman to approve adding Michael Davenport to the BECU Bank Accounts. Approved 5:0

Motion made by April Newman and Second by Michael Davenport to reimburse Melissa Worthington for Annual meeting Pastries of \$29.97. Approved 4:0 (Melissa didn't vote)

Next Meeting December 5<sup>th</sup> at 6:00 pm Via Google

**Minutes approved by proper vote of HOA Board as indicated by Signatures below**

**Esigned by: Melissa Worthington 11/5/23**

**Esigned by: April Newman 11/5/23**