

Nisqually Estates HOA Annual Meeting 2021/22

Nisqually Estates Homeowners Association

Saturday October 23rd at 9:30am

Via Google Meets

A. Homeowner Sign-in and Proxy Verification:

- a. Rebekah Jordan - voted for all board members
 - i. Proxy for Betty Boster - voted for all board members
- b. Steve Jasper - voted for all Board Members
- c. Joe Brandfas - voted for all board members
- d. Tara Jaksha
- e. April Newman
 - i. Proxy for Kathy Fields- voted for all board members
- f. Cynthia Nicholas
- g. April Alimbuyao
- h. MaryBeth Zuker
- i. Melissa/Nathan Worthington- voted for all board members
- j. Lena Pilor- Write in- Mary Beth, Marian Devol, April Alimbuyao, Elera Pilor, Richard Smith
- k. Nino Cintron
- l. Robert Mendel
- m. Staci Dilg
- n. Linda Newcomb
- o. Linda Suina
- p. Michael Owen

B. Quorum Reached if 30 members are present or we have proxies per our bylaws. Quorum not reached.

(Meeting will start once quorum is achieved, but not later than 9:30 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.

C. Introduction of Current Officers:

- a. President: Rebekah Jordan; I have been in the neighborhood since 2007, I enjoy serving the neighborhood I love so much.

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- b. Vice President Melissa Worthington I been the neighborhood for 5 years loves being to able to help and be part of the neighborhood
 - c. Treasurer: Cynthia Nicholas (Temporary) something to do while being a stay at home mom
 - d. Secretary: April Newman loves knowing neighbors and being involved in the HOA
 - e. ACC Chairperson: Tara Jaksha (Temporary) been here about 4 years
- D. Nominations and Elections to the Board of Directors for the Coming Year: not a vote this is only a tally as there was not a quorum.
- a. Rebekah Jordan: ____9+ _____
 - b. Melissa Worthington: __9+ _____
 - c. Tara Jaksha: _____9+ _____
 - d. April Newman: ____9+ _____
 - e. Cynthia Nicholas: __9+ _____
 - f. write-ins_Mary Beth, Marian Devol, April Alimbuyao, Elera Pilor, **Richard Smith** _____
- E. A motion was made by Rebekah Jordan and seconded by Melissa Worthington to formally approve Board meeting minutes for Sept 20 2021 meeting minutes. **Approved 5:0**
- F. **Financial Report:**
- Financial Status (Account Balances and Anticipated Expenses)
- a. A motion was made by Rebekah and seconded Melissa to formally approve no raise in dues for 2022 year. **Approve 5:0**
 - b. A motion was made by Rebekah and seconded Tara to formally approve the budget for 2021/2022 year. **Approve 5:0**
 - c. Timberland: Savings (Reserve) **\$0 (24,206.25 transferred to checking for transfer to BECU) Savings account is closed.** Checking **\$5,793.02 + \$24,206.25 = \$29,999.27** Show last bank statements. of September & Oct for both Timberland and BECU. Waiting on Lawn Pro's check to clear before closing the account. It had not cleared as of yesterday. Rebekah called Lawn pro's they did get the check. Balance as of 10-23-2021. if not cashed by 10/31/21 then we will cancel the check and send new through BECU.
A motion was made by Rebekah and Seconded by Melissa To formally approve closing Timberland Bank account after check has cleared. **Approved 5:0**
 - d. New Bank account at BECU is open as of 9/24/2021. Money in the amount of **\$40,000.00** has been transferred to new bank (check #1051) hold was put on funds availability due to the

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amount of check - for 2 weeks. Once BECU has released money hold we will transfer the remaining balance from Timberland Bank. Checking \$40,000.00 - Show statement (waiting on lawn pros check to clear)

e. Major anticipated expenses:

- i. Lawn Pros \$846.43/mo: on auto pay (waiting for last check to clear) Lawn Pros sold the business and is going through reorganization. They apologize for any interruptions in service or billing. Service price is not changing and all contracts will be honored. (Trees at entrance need to be trimmed up to an acceptable clearance. Check prices with other companies) Bids for Next year. Follow up with Lawn Pros regarding maintenance of grass in the pathway. Homeowner to the side of the path has been maintaining overgrowth and garbage.

- 1. Questions: What qualifies for common area trees? All entrances and retention pond areas. Does not include trees on homeowners property. The Homeowner's property goes to the edge of the road. There is an easement for the sidewalk. Rebekah went over contract.

- ii. Yelm Water: water was turned off-last bill paid was \$1481.63 check #1053
- iii. StateFarm Master Insurance Policy: (\$2676 per year due in March) insurance agent, Craig Johnson, has retired and no one has purchased the business or been assigned as yet. Look for a new local agent? Suggestion was to ask Steel about maybe being our new agent
- iv. Other expenses: \$299.25 Approved at last meeting for reimbursement to Rebekah Jordan for 3 rolls of stamps, envelopes, and 480 copies. Paid by transfer from BECU
- v. Annual PO Box Due 10/31/2021 \$166: vote to approve payment (check #1055) - post office keys finally came for the new mailbox on Brighton St - they have been installed.
- vi. Deposits besides dues:
 - 1. 15007 105th transfer fee \$250
 - 2. 10435 Brighton transfer fee \$250
 - 3. 15235 105th transfer fee \$250
 - 4. 10424 Brighton transfer fee \$250
 - 5. 10535 Farwest transfer fee \$250
 - 6. 15411 105th transfer fee \$250
 - 7. 10523 Farwest transfer fee \$250
 - 8. 10425 red fern transfer fee \$250
 - 9. 10423 Brighton transfer fee \$250

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- G. 2021 Dues Status (# of lots paid out of 120): **119** out of **120** as of 10/23/2021
 - a. Bills for 2022 Dues will be sent out November 1st - 2022 Dues are due 1/1/2022.
- H. Lien status (Total # of Liens, # of Properties with Liens): Total liens 3- 2 Liens on 1 lot, 1 - for not paying dues in 2021.
- I. Secretary of State Filing for 2021 is due 11/30/2021: it will be done in November with the billing -\$10
- J. Lawyer: Budd Bay Law P.S. Charles (Skip) Houser is our new General Counsel for the HOA @\$360 per hour.
 - a. Bill for \$144 - homeowner letter and discussion -
 - b. Law firms or Rodger Kee Card & Stropy, PS and Pope, Houser & Barnes, PLLC merged to make Budd Bay Law PS.
 - c. Terms of Engagement: show on screen
 - d. Questions: Does the new lawyer include complimentary consultations on retainer? Answer: No, we pay for what we use. When did the zoom meeting occur? October 7th, 2021.
- K. **Architectural Control Committee - ACC Report by Tara Jaksha**
Members: Staci Dilg, April Newman, and Rob Mendel:
 - a. requests
 - i. painting request
 - ii. Fences
 - iii. Garden/yard
 - iv. Roof
 - v. Chickens
 - b. Observations and Violations
 - i. drive around date(s) October 7th, 2021- Rob Mendel, Staci Dilg, Tara Jaksha
 - ii. painting request
 - iii. Fences
 - iv. Garden/yard- 1
 - v. Roof
 - vi. Chickens-zero submitted
 - c. Fines: started 10/11/21- 15030 105th letter sent no response.
 - d. Little Library From The girl scouts in the neighborhood. Rebekah to reach out again, no response from the troop since before the last meeting.
 - e. The ACC is in need of a new committee member if anyone would like to join the committee please contact the HOA Board. when asked at the meeting no one said anything.

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- f. Updates to the ACC process:
 - i. Photos documentation of infraction
 - ii. how many notices before fines
 - iii. how follow up drives will be handled-New process will be implemented to stay consistent throughout the neighborhood.
 - iv. waste bins/garbage/recycle- must be behind a fence or garage out of public views. Needs to put up at least the night of no later than the next day. Can go out the day before.
 - v. Garden areas need to be maintained. Anything removed,added or major changes need an acc. request.
 - vi. Moss removed from roofs.
 - vii. Before anything is done, ask a board member or read the ACC. It will be noticed if not by Acc but others in Neighborhood.
 - viii. What is the process for ACC requests? When the Main Hoa email account we forward it onto the Acc, they research , discuss and vote. then the ACC will reply back to the homeowner.If there is no reply in a week reach back out to the board. The Homeowner stated that an ACC request was sent but the Homeowner was not notified of a decision.
Tara will follow up.

Old Business.

- g. Park Maintenance- Trim trees, New Trees, Paint foursquare, fences, pathway (quotes for asphalt & gravel), storm pond grates. Quotes needed for storm drains. Will continue moving forward with contractor quotes/plans in spring 2022.contractors are overwhelmed with work and are scheduled out 6+ months for small jobs- Melissa has gotten a few more quotes and is contacting older ones to see if their bid is still current and if not can they give us a new one.

L. New Business.

- a. Holiday contest/feedback (Melissa) Pumpkin hunt 15\$ gift card to Dollar store was given to a family on Redfern for finding the winner. There is a pumpkin Carving contest, decoration contest. Motion made for pumpkin carving contest prizes to be \$25 first place, \$15 Second place. Melissa Worthington seconded. -approved by vote.
- b. Motion made by Rebekah to set Christmas and Halloween decoration contest prizes to \$75 first place, \$50 second place, \$25 Third place. Melissa Worthington seconded, **approved 5:0**
- c. Motion made by Rebekah to set pumpkin carving contest prizes to \$25 first place, \$15 second place, Melissa Worthington seconded, **approved 5:0**

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- d. Prizes for contests are currently gift baskets, or gift cards. Rob Mendel suggests that prizes are bigger as incentive for more homeowner participation. Suggestion from Staci Dilg is a drawing for all participants instead of voting for best decorations. Homeowners suggest gift cards like Safeway, Walmart, Dollar store or grocery outlets. The baskets even though they were a good idea came with a lot of items that are not used.
- e. Notifications from email (Melissa)
 - i. It was brought to my attention that a homeowner has not been getting notifications through email until recently. Is anyone else having the same issue? This last year notices have been sent for The HOA meetings- usually there is a meeting invite from google meets around the time we schedule it in the meeting before - then the day of or before we send out the agenda, previous mins and Google meets link. - **Create a post on FB page letting homeowners know that emails may be going to junk/spam folders, have them add HOA email to their contacts so they receive the emails.**
 - ii. Meetings are Bi -Monthly December, February, April, June, August, Annual October.
 - 1. There is also a FB event with information as well 45 to 30 days in advance of the meeting depending on when the last meeting is and the next is.
 - iii. **Please make sure the Board has your current information.**
- f. Melissa as of now will be available most wed- Fridays to help collect dues. will post on Facebook on other available days.
- g. Discussion about adding the following guidelines to animals in the ACC rules, -CURRENT ACC Paragraph on Pets & Animals: "Owners, when exercising or walking pets, shall restrict such activities to the common grounds (such as sidewalks, easements and the Yelm-Tenino trail). The pet owner must immediately remove any solid waste left by the animal while on the common grounds or private/public property. Care should be taken to prevent pets from walking on neighbor's lawns. Animals shall be walked on a leash. City of Yelm and Thurston County leash laws apply. Retention ponds are NOT pet play areas. Chickens are permitted provided the homeowner receives permission from the ACC and the proposal meets the minimum requirements set forth in the relevant City of Yelm ordinance. The HOA may be more restrictive than the City of Yelm based on circumstances and conditions."

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Perhaps ADD something like the following:

"Homeowners and renters are permitted to have no more than (3) Three canine pets per lot with an allowance of one certified & trained canine service animal for a resident with a disability not counting against the total. Emotional support animals are not considered service animals for the purposes of this rule."

"Homeowners and renters will control their animals and pets in accordance with the regulations pertaining to pet animals in the Yelm Municipal Code Section 6.08.05. In particular, but not limited to the following: Homeowners and renters will ensure that their pet animals do not habitually or continually disturb the peace and quiet of any individual in the neighborhood by unprovoked barking, whining, howling or making any other noise.

Homeowner question regarding proper procedure in resolving conflicts with neighbor dogs including. One incident where Animal Control was called first instead of discussion between neighbors to try to resolve, another including a complaint of dogs behind the homeowner causing damage to their fence line. Homeowner reached out to that neighbor with no success in resolving that matter. Homeowner will send a private email to ACC regarding this incident.

Problem cats: **Rebekah to look up the county code regarding problem cats.**

Motion made by Rebekah Jordan to approve addition of Animal Guidelines to ACC rules, seconded by Melissa Worthington, **approved 4:0.**

M. **How to become a Board Member:**

- a. it is not required you come to a meeting to be voted on but it is encouraged - you can attend via phone or video conference.
- b. Text or email the Board or a member of your interest at any time during the year. **Mary Beth Zuker & Lena Pilor are interested in becoming committee members/board members in or around February 2022. Rebekah will set a reminder on her calendar to reach out to both of them at that time.**

N. **Open Forum for Comments and Questions:**

- a. Rob Mendel: I would like to ask that all homeowners running for a Board position (and currently serving) be allocated time to introduce themselves and state why they are running, what their general background is, how long they've been in the neighborhood, etc so that people can make a better voting decision or get to know the Board members that will automatically continue on if there is not a quorum.

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- i. This was done above at the opening of the meeting. Board members are welcome to give out what personal information they chose.
- b. Rob Mendel: I also want to formally request that if there is another vacancy on the Board that I, along with the general membership, be notified before that vacancy is filled and that the vacancy be filled in a publicly announced meeting of the Board. I am still struggling to figure out why this was done without notice to the membership just 4 days before a properly scheduled Board meeting and BEFORE the vacancy actually occurred. What was the urgency? I also see from the minutes of the non-public, unannounced Board meeting on Sep 16 that other public and relevant homeowner-HOA business was conducted such as formulating budget requirements/amounts and voting on changes to the ACC Rules. Such items are of public homeowner-HOA business concern that any homeowner from the general membership has a right to be notified, present or comment on at a regular Board meeting.
 - i. Our attorney did inform us that there was nothing wrong with what we did at the Executive work session. That said since the homeowner was uncomfortable with the session we appended the session minutes and voted on the points here in this meeting in the interest of clarity and transparency. We are allowed to bring on new Board members anytime during the year and the requirement for the annual meeting is 30 days notice which was fulfilled with the annual meeting notice. Anyone interested in becoming a new Board member or joining a committee is welcome to contact the Board at any point during the year. The new Board member was brought on on a temporary basis to fulfill a need when a Board member suddenly resigned without finishing the year.
- c. Rob Mendel: I also want to formally request that in the future homeowners be given a reasonable opportunity to make a decision on running for a Board position BEFORE the ballots are printed and distributed. This was the status quo in years past and is only fair. I know of 3 homeowners who would've been interested in running had their names been able to be fairly placed on the ballots along with the current nominees instead of just as "write-in" candidates.
 - i. We have taken this under advisement - and will be addressing several policies and procedures going forward. We appreciate your suggestion. Rob brought up us not doing a nomination community. We are planning on one for next year.
- d. Rob Mendel: I intend to speak and ask questions at the open forum portion of the Annual Meeting. The topics are some of the above, plus the following:
 - i. rates for new attorney: addressed above
 - ii. review of letter of engagement: addressed above
 - iii. Secretary of State filing/registered agent: due 11/30/21 addressed above
 - iv. PO Box renewal: addressed above
 - v. new bank account (it was voted in April, is it finalized yet? why did it take 5-6 months?): the board was unaware that there was a timeline associated with the changing of the accounts. It was done to make the dues process easier for the Board with e-deposit so

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we were only looking at getting it done before the dues checks from homeowners start coming in in November. With covid the BECU just started doing appointments with this it limited when we could go. We also had schedule conflicts between board members.

- vi. Welcome program (is there one?): there is not a welcome program and COVID has made it harder to meet new homeowners. Personally I like the idea of a more formalized welcome program. I do think we as a Board should work on this and create that for our neighborhood. This is a great idea. Thank you!

- e. Executive board meeting Sept 16 2021 has been dismissed why we did not vote on it at this meeting.
- f. Homeowners want more communication, Maybe bring back a newsletter and more Communication Facebook, email BCC, on Mail boxes flier. mail. of all meetings
 - i. More formal New neighbor Introducing.
 - ii. Do a poll on Facebook to see who is interested. not everyone sees notifications to make sure they are turned on.

O. **Next HOA Meeting will be held:** Monday December 13, 2021 at 6:30pm via Google Meet.

Adjournment:

HOA Meeting Schedule - December, February, April, June, August, Annual meeting in October
Annual Dues Due January 1st each year; Considered late on January 15th

P. **Meeting Closed** at 12:06 PM

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

Esigned by: Melissa Worthington 1/17/22

Esigned by: Rebekrah Jordan 1/17/22

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Executive Session following Annual Board Meeting 10/23/2021

Rebekah Jordan - President

Melissa Worthington - Vice president

Tara Jaksha - Acc Chair

April Newman - Treasure

Cynthia Nicholson- Secretary

All members voted into their positions as listed above.

Motion made by Rebekah second by Tara for the board member seats. **Approved 5:0**

Acc Community Members-

Rob Mendel

Staci Dilg

Motion made by Rebekah second by Tara for the Rob Mendel and Staci to continue being on the ACC community **Approved 4:1**

Esigned by: Melissa Worthington 1/17/22

Esigned by: Rebekrah Jordan 1/17/22

2022 NEHOA Budget

Income from Dues:		\$22,680.00
Expenses below	\$189 month	
Lawn Care (not including weather damage)	\$842 month	\$10,109.16
City of Yelm Water	450-500/ 3 mo	\$1,740.00
Irrigation System (Annual Weatherization and	as needed	\$450.00
Insurance (General Liability, D&O, Umbrella)	\$2676 + \$1000	\$3,676
County Treasurer/Auditor (Taxes/lien filings)	as needed	\$950.00
Bank Fees (Returned checks/ordering checks)	as needed	\$100.00
Office Supplies and Annual Meeting		\$400.00
Web Page (Domain, Hosting, Support, etc.)		\$270.00
Professional (Attorney/Accountant/SecState)		\$900.00
USPS (PO Box, Postage for correspondence)		\$320.00
Reserve: Long Term Maintenance and Capital		\$3,764.84

\$22,680.00