

# Crumbacher Estates Owners Association

## August 30th, 2010 – Board Meeting Minutes

**Call to Order: 7:10**

**Present:**

Board Members:

President: Doug Hale                      826-1653 home, 322-0581 cell, email [alpenviro@yahoo.com](mailto:alpenviro@yahoo.com)  
Vice President: Rod Moore              422-1353  
Secretary/Treasurer: Ken Radford      826-1977 home, 429-6616 cell, email [kenn@kensdotcom.com](mailto:kenn@kensdotcom.com)  
Directors: Darren Schmidt                826-2622

Association Member(s):

Darlene Gavin, Brock Sutton, Terry Loisel

Prior to discussion of agenda topics, Darlene Gavin stated that she had some questions/input she wished to express “for the record”, but that they would fit under the current areas already in the agenda and that she could make her statements then. She also requested the date of the previous meeting, as well as a question as to what had been decided regarding the disclosure of names in the minutes. The board responded that, while no “official” policy had been reached, the general consensus was that, if a comment is made in a board meeting that is material or that seems to be in direct regards to a motion on the floor, in such open forum, disclosure of the commenter would seem appropriate. On the other hand, in regards to any general discussion types of commentary, the stating of names would not be indicated. Darlene stated that such was not a concern of hers, and that she had no problem with her name being mentioned in the minutes.

Terry Loisel also stated that he wished to add some commentary, but that it too would fall under the topics already listed in the agenda.

Reminder:

Association meetings are open to all association members and attendance is welcomed. If you would like to have something on the agenda, please email your request to either our President or our Secretary prior to the meeting in order to have time allotted as able. Brief commentary (usually allotted for at the beginning of a meeting) is also welcome, but providing such in writing to our secretary prior to the meeting is also preferred.

**Amendments or Additions to Agenda**

- No amendments were offered
  - **Motion by Darren: to accept the agenda as proposed.**
  - **Seconded by Rod. All were in favor.**

**Approval of Minutes**

- **Motion by Rod: to waive reading and to approve minutes as written.**
- **Seconded by Darren. All were in favor.**

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### Water

- Operator Report
  - Power outage caused pump shutdown on Monday 8/30. Doug and Rod were able to restart the system.
  - Clean water sample reported for the month of August, and radiological tests were well below state standards.
  - Needed repairs were noted. Carl will be completing these as time is available. He has already completed the work on the 10 hp pump, and it has been reinstalled. Costs associated with the pump installation were reviewed.
  - Carl Behrent supplied some written recommendations for our association to consider in regards to more efficient operation of our water system.
  - Carl's report also stated that he would like further discussion with board regarding "Mission & Vision" of our water system.
  - No motions or decisions were made at this time, but these ideas will likely see further review with possible considerations being made.
- Water Outage Procedure
  - In the event of a water outage, it was discussed that the following procedure for notification should be followed to help get the system back up in the most timely manner possible. Please make calls in the following order until you are able to contact someone.
    - 1<sup>st</sup> Call: Rod Moore            Home: 422-1353   Cell: 429-8316
    - 2<sup>nd</sup> Call: Doug Hale            Home: 826-1653   Cell: 322-0581
    - 3<sup>rd</sup> Call: Carl Behrent        Home: 826-4295   Cell: 422-1452
  - **Important: Please leave your name and the time you called.**
  - Direct contact of Carl should be limited to only those instances that a board member can not be reached.
- Certified Operator Requirements
  - A visiting member asked why the association needed to have a Certified Water Operator.
  - Firstly, **having a Certified Water Operator is a State Mandated Requirement.**
    - Doug briefly explained a basic "Job Description" of a Certified Water Operator, which would include doing water samples, sending reports to the State, and various other State or contractually required tasks.
    - Our previous water operator had failed to keep our system in compliance with State Health regulations. His operator's certification had also lapsed during his contract with us and he later resigned, all from which required that our association had to find and hire a new operator.
  - Secondly, it was reiterated that the board believes that having a solidly run, monitored, and safe water system is important to our association and that board support of that goal is mandated by both State Law and our CEOA Governing Documents.
- Water Fees
  - Darlene stated her opinion that the recent increase in water fees should have also included an increase in association dues, as the operation of the system is an "association function."
  - The board stated their feeling that the increase in expenses was related directly to our water system and therefore, the additional funds should be generated via a corresponding increase in water fees .

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- The board felt that association dues should represent revenues for association-related costs, (such as road maintenance, signs, trees, “common grounds” maintenance, etc.) and not those necessary for the maintenance of our water system.
- Darlene reiterated her disagreement with this line of thinking.
- Water Fees on Vacant Lots
  - In a review of prior minutes, it was noted that water use fees for such lots had been approved in the July 6th, 2009 board meeting but, per verbally stated decision of the previous board, it had not been implemented.
  - Consensus among the current board was that this question should be revisited, but should not be implemented retroactively. Also, since the previously proposed change did not include fees for the winter months and, especially in light of the recent need to increase the general household water rates, it was also decided that to make such a change at this time (i.e. to create a year-round charge on those lots) would be especially burdensome on those lot owners. It was therefore decided to postpone further discussion on the topic until early spring.
- Water Right Review
  - Doug provided an update regarding the proposed amendment to the Crumbacher Estates water right certificate, which would allow owners to transfer irrigation water between lots. Doug met with attorney Scott Detro, who stated that the association should verify with Ecology that this amendment would be an “Administrative Change” and NOT a “Formal Change” (i.e., involving State review). As such, this would mean that a formal State review would NOT be required, but only that the water be accounted for and documented within the association itself.
  - Doug relayed Mr. Detro’s further opinion that having the transfer option *within the association*, and still being *controlled by the owner of the irrigation right*, would be a win/win situation for the individual water right holders and the association as a whole. He recommended the board develop contracts with irrigation users clearly stating that any movement of water use could only be done at the sole discretion of the lot owner, and not by the whim of the board.
  - Doug will follow up with Ecology to verify that their proposal is an administrative change.
  - Terry noted improper water use within our current system, and questioned how this could be resolved. Use of water metering was noted as the only “fail safe” way to monitor and prevent water use abuse. (The only other, but very costly option, would be to “re-pipe” the whole system with separate domestic and irrigation piping systems. But, even by doing that, metering would still be the only way to actually monitor our water usage). Again, please water wisely – thanks!

### Finances

- Treasurer’s report
  - Balance sheet as of Aug 30<sup>st</sup>, 2010.
    - Assets: \$35,296.09
    - Liabilities & Equity: \$35,296.09
    - Net Income
      - July 2010 \$149.12
      - Aug 2010 \$ <245.21>

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- Most all members' accounts are up to date and current, with a few exceptions (late fees to be assessed for accounts that become past due (e.g., not paid by Aug. 31<sup>st</sup>, 2010)).

### Roads/Infrastructure

- Sign Repair
  - Materials have been acquired, and repair work is to be scheduled.
- Well Access & Parking
  - A survey map provided by NCW Surveying established that our reservoir is overlapping onto the McNair property by nearly four feet.
  - Options to move the boundary line and bring all infrastructure within the Association property were presented and discussed.
  - Discussion was held as to several well access options, along with the potential for providing some alternate parking areas in relationship to McNair's property.
  - A bid was shared for work in that area.
  - Opposition was presented by Darlene, on the basis that doing any work around our well house would benefit only one member.
  - Legal easement issues and ramifications were discussed.
  - Visiting members raised questions as to the validity of past surveys.
  - Darlene suggested the use of a county set-back variance as being a possibly less expensive solution (vs. doing an actual boundary line adjustment).
    - It was reiterated that, per the recent survey, our Association reservoir does in fact trespass onto the McNair's property and that getting a "set-back variance" would not be sufficient here, as a set-back affects the use of one's own property, not the trespass into another person's. Thus, doing a true boundary line adjustment would appear to be more appropriate.
    - It was also felt that addressing this issue was not simply in the interest of a single homeowner, but rather that having legal ownership of the full well property would be in the best interest of whole association. It was felt therefore that working with the McNair's to create a mutually agreeable property line would seem to be in the best interest of all parties involved.
  - Brock stated that he was aware of a written easement for access to the well site, and would provide it to the board.
  - **Motion by Rod: to postpone the decision on parking area improvements.**
  - **Seconded by Darren. All were in favor.**

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### Association Issues

- Voting Procedures
  - A statement from the lawyer clarifying the voting procedure for Crumbacher membership meetings is available pending payment for services. Darren will remit payment from the board and pick up the document for review at the next meeting.
- Mission Statement
  - Further discussion, review, and editing of the "Mission & Values" statement, as updated by Ken, took place by the board.
  - **Motion by Rod: to accept the document as the "Mission Statement" for our board.**
  - **Seconded by Darren. All were in favor.**
- Bylaws Review – Articles I, II, and III
  - Discussion and review of potential edits took place.
  - Finalized draft will be presented at next meeting for vote of approval.
  - Board members will work on edits to Articles IV, V, VI, VII for next meeting.
- Covenant Review Committee
  - No discussion on this topic, as Rennie was not available for this meeting.
  - Terry suggested a change to the association dues, making them an equal flat rate per lot, rather than assessed on a per-acre basis as has been done. The thought was that large owners bear a greater cost of the association maintenance, without receiving a greater benefit. The board felt this was a valid proposal that should be included in the covenant review, and brought to the membership for further consideration.
- Other Complaints, Issues or Concerns
  - Larson Property – Knapweed
    - A work party took place in August to remove excess knapweed from the property. Nearly four pickup loads were removed.
    - Thanks to all who helped!
  - Water Fee Increase
    - Earlier this month, the board received a phone message complaint, with threats to withhold payment and possibly to sue the association over the increase in water fees.
    - The board responded with a letter stating both their right and responsibility, as clearly established in our bylaws, to make such an increase in order to meet any necessary expenses of our association.

### Adjourn

- No further business was noted for discussion.
  - **Motion by Ken: to adjourn.**
  - **Seconded by Rod. All were in favor.**
- Meeting was adjourned at 9:45.

The Next Board Meeting is scheduled for October 4th, 2010, at 7:00 p.m. to be held at President Doug Hale's home at 4 Norway Pines Dr.

  
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President, Doug Hale

  
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Secretary/Treasurer, Ken Radford