

Fairwood Village Association Board of Directors Meeting Minutes
10:00 AM Thursday, October 20, 2022
Bay Club Boardroom

1. **Call to Order:** 10:03 AM by Mike Raymond, President

2. **Roll Call:**
 - a. Board of Directors: Mike Raymond - President, Charlie Mayfield - Treasurer, Elaine Raymond - Secretary
 - b. Members: Jill Bryson, Mary Lee Sondergard, Joe Vozarik, Rick Roehrenbeck, Wynne Stevens
 - c. Quorum established.

3. **Approval of Agenda:** The agenda was approved.

4. **Approval of Last Meeting's Minutes:** The September 15, 2022 FVA Board of Directors Meeting Minutes were reviewed and approved.

5. **Presentation of Reports:**
 - a. **Treasurer's Update:** Charlie Mayfield, Treasurer reviewed the balances on the FVA accounts:
Checking Account: \$3,431.93
Money Market: \$1,080.81
Business CDs (4): \$36,457.05
Total Bank Assets: \$40,969.79
No outstanding debts. A Landscape bill will be paid before the end of the year.
 - b. **Landscape Maintenance Committee:**
 - i. The schedule for mowing should be adjusted, to prevent mowing when the grass has not grown. Grass growth is related to the amount of watering.
 - ii. It would be desirable to have a schedule of the landscaping services available for the membership.
 - iii. A proposed Landscape Survey of the membership was reviewed and will be sent out to gather information for the next landscaping bids.

6. **Architectural Committee:** Building Construction/Modification Application for Lot

#7 - Herling, complete and forwarded to South Bay ARC meeting to be held October 21, 2022.

7. Old Business:

- a. Par Four Ct OWSI report: Mike Raymond wrote an addendum to Ken Sondergard's report. See attached.
- b. Budget and Dues planning - The Budget Task Team met and worked on determining the best estimate of when road repairs will be needed, what type of road repairs can be done and how much will that cost in the future. They will meet again before the next Board Meeting to work out several different scenarios for the budget.
- c. Nomination and Election Process - based on input from the membership, the Board of Directors voted on and approved to have 5 Board of Directors in the coming election and going forward. The proposed Election Procedure was also approved with a change to the number of nominations for each lot. See attached.

8. New Business:

- a. Ken Sondergard resigned from the FVA Board of Directors.
- b. Consider 2 year overlapping or staggered terms for the Board of Directors to enhance a smooth transition from year to year.

9. Open Forum:

- a. Roehrenbecks requested to see the itemized statements and payment for the road and drain repair. See attached.
- b. Wynne Stevens requested the Board of Directors defer Herling's Building Construction/Modification Application for 30 days.
- c. Rick Roehrenbeck expressed the importance of all homeowner's participating in the upcoming voting on the 2023 Budget and Board of Directors.

10. Adjourn: The meeting was adjourned at 11:55 AM.

Next Board of Directors meeting: **November 17th, 2022 - 10:00 AM at The Bay Club.**

Next Annual Membership meeting: **December 8th, 2022 - 10:00 AM at The Bay Club.**

Submitted by Elaine Raymond, Secretary

Attachments:

1. Par Four Ct OWSI Sewer Report Addendum
2. Fairwood Village Election Procedure
3. Road and Drain Repair Invoices

October 13, 2022

Michael Raymond, Fairwood Village President

Addendum to Final Sewer Line Project Report - Lot 16, Par Four Court - Report by K Sondergard

1. The above referenced report was requested to be submitted by Mr Sondergard, Fairwood Village Vice-President for Landscape Maintenance. The purpose of the report was to be added to the Fairwood Village records and to generate any further recommendations from the incident that occurred in November of 2021.
2. The report states that “the board” was informed. We assume that the owner, Mr Zampera, contacted a member of the board to report the problem, not the entire board of Fairwood Village. There is no evidence that contact was made at a board meeting.
3. The report states in “Observations: #3” that the FVA HOA Board did not perform a site/plant survey prior to approval of the application. There is historical evidence in terms of site plans and plant lists to support needed restoration.
4. The report states in “Observations: #4” that the FVA HOA did not perform due diligence. This is a presumptive judgment and is not appropriate to be included in the report. All the communications between the Board representative, other board members, the property owner, and the utility to factually determine whether due diligence was, in fact, not performed and is not factually known.
5. The report implies that the owner should have completed a SBCA-ARC landscape modification application before attempting repairs within the boundary of the owner property. An application to repair utilities or damage on owner property is not required.
6. The report states that the previous FVA HOA Board did not specify the number and types of plants needed to remediate the damage caused by the repair. There are records of number and types of plants that had been placed in the common area so this is not a correct statement.

The report details four conclusions. They need to be clarified.

1. Conclusion #1 - “The Common Area project Application was unnecessary”. An application was necessary to provide the needed information for Fairwood Village records even though the service provided to resolve the issue would be done by Olympic Water and Sewer. The exact placement and dimensions of the utility easement was not definitively known. On the Fairwood Village Plat Map, the sewer easement is placed on Lot 16 while the actual work occurred in the Fairwood Village Common Area as well.
2. Conclusion #2 - “The FVA HOA Board misinformed the owner regarding the project application.” The FVA HOA Board does not “inform” the lot owner through an application. They only approve or disapprove the application. If there was a issue regarding the actual location of the sewer pipe failure, the conclusion should state that there was insufficient information to determine on what parcel of land the failure occurred.

3. Conclusion #3 - "The board made incorrect statements in their approval of the application and failed to perform due diligence to protect the property owners from possible liability for damage to private property and for site restoration and replanting". The application sets conditions under which the project work is to be performed. It is not intended to protect homeowners from liability. That is why homeowners carry insurance. The fact that the property owners contractor did not proceed further is evidence of some care. In this case, "due diligence" also has to be understood in terms of the actual communication and impact of the actions taken. Here, the property owner's ability to use their home has a significant impact on what actions were to be authorized.
4. Conclusion #4 - "OWSI hydroseeded the disturbed area site in the early spring". It is assumed that this conclusion is referring to the fact that resolution of the sewer failure problem and restoration of the area is, or is nearly, complete.

Recommendations. The report attempts to make four recommendations. None are substantially helpful in future situations as occurred here. Otherwise, the following recommendations may be found useful for the Board and residents of Fairwood Village.

1. The FVA Board and residents should be informed that if there is a "sewer issue" of any kind, first contact should be made with the utility, Olympic Water and Sewer. Because of the knowledge of the sewer system, their information would be of immediate usefulness in addressing back-ups and failures. If OWSI determines that the problem exists on the homeowner's property, they would be more able to make that determination rather than going to a sewer clean-out service or plumber.
2. Homeowners should be informed that if they do have a plumber address a problem in their home, and the plumber cannot determine the extent of the problem, they should not have the plumber proceed further but to contact Olympic Water and Sewer for water supply or sewer problems.
3. The situation cited in the report could be termed "an emergency". It's recommended that the Fairwood Village Board determine and document an emergency procedure with appropriate contact requirements and authorizations in place before another situation like this occurs. The Emergency Procedure should also be communicated with all Fairwood homeowners to provide support for emergent issues.
4. Emergent issues will often need immediate attention and action. The Fairwood Board should be authorized to make verbal, on-the-spot decisions, to address emergent issues. Understanding that, the Board should also follow-up with documentation to submit to HOA records. The emergent issue may be detailed on an application form with notations regarding the immediacy of the actions authorized and taken.
5. The Fairwood Board should inform residents which Board member to contact in case of an emergency. If the normal contact is not available, residents should know who is standing in for the normal emergency contact.

Fairwood Village Election Procedure

1. Board Director Nominations

- a. Nominations for Board Directors will open the Monday after the October board meeting, or the 4th Monday of October.
- b. A Nomination Form will be sent to all resident homeowners eligible to vote in Fairwood Village elections. The form will be sent before the opening date of nominations.
- c. Each lot may nominate qualifying residents up to the number of open Board Director positions.
- d. Each person nominated must agree to be nominated before their name may appear on the ballot.
- e. Residents may not nominate themselves or anyone from their own household.
- f. Nomination forms may be returned to the Board Secretary in person, by regular mail to 100 Dogleg Lane, Port Ludlow, WA, 98365, or in person to the November Fairwood Village Board of Directors meeting.
- g. Nominations will close as of the adjournment of the November Fairwood Village Board of Directors meeting, or at noon on the 3rd Thursday of November; in case there is no Board Meeting conducted.

2. Board Director Balloting

- a. Balloting for Board of Director positions will commence on the Monday after the November board meeting, or the 4th Monday of November.
- b. Each Lot may cast as many votes for Board Directors as there are Board Director positions. If there are 5 board positions, then a Lot may cast up to 5 votes.
- c. Only one vote may be cast for each Board Director nominee. If there are 5 nominees, 5 votes may be cast; one for each nominee.
- d. Write-in nominees are not allowed.
- e. Ballots will be sent via US Mail to each Lot Owner. Mailing will occur before the opening of balloting.
- f. Lot Owners may return their ballot via US Mail to 100 Dogleg Lane, Port Ludlow, 98365; return them to the Board Secretary at 173 Dogleg Lane.
- g. Balloting will close as of noon the day before the Annual Meeting is scheduled. Ballots returned after that time will be invalid.



Olympic Peninsula Division
 lakesideindustries.com
 P.O. Box 726 / Port Angeles, WA 98362
 ph: 360.452.7803 / fax: 360.457.7932
 Washington Contractor License No. LAKESI274JD
 Oregon Contractor License No. CCB 108542
 Equal Opportunity Employer

PROPOSAL CONTRACT AGREEMENT

To: <u>Property Owner</u> <u>Fairwood Village Assn</u>	Contact: Charlie Mayfield
Address: <u>100 Dogleg Lane, Port Ludlow, WA 98365</u>	Phone: <u>360 531 2764</u>
Project Name: CB Patch & Sealing For Dogleg Fairwood Village Association	Bid Number:
Project Location: Dogleg, Port Ludlow, WA	Bid Date: 6/15/2022

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
001	Patch CB' On Dogleg BLVD Seal & Sand All Construction Joints & Larger Roadway Cracks With PG 58H-22 Asphalt Oil Cracks To Be Prepped By Others. Weedkill Application Is Suggested After The Initial Prep On The Cracks, And Prior To Sealing.	1.00	LS	\$3,950.00	\$3,950.00

Bid Price Subtotal: \$3,950.00

Total WA State/Local Sales Tax 9.10%: \$359.45

Total Bid Price: \$4,309.45

Notes:

- Price Based on 1 Mobilizations. Additional Mobilizations are \$2500. Each.
- Price Excludes: Layout, Survey, or Engineering; Erosion Control; Utility Location and/or Adjustment; Traffic Control; Premium Pay for Night, Holiday, or Weekend Work; Herbicide; Prime Coat; Rock or Grading; Insurance Premium over Standard Insurance; Base Repair; Temp Ramp Placement/Removal; Grinding; MTD/V; Cleaning Between Lifts; Tax; Permits; Bond; Testing; Sawcutting; Curbing; Concrete Protection; Crack Sealing; Seal Coat; Striping and Sweeping.
- Subgrades must be firm and unyielding.
- Performance Bond not included in bid price. If required please add 1% to total cost of bid.
- Bid based on approved contract; This proposal & Lakeside Provisions to be a part of all contract documents.
- Lakeside Industries is not responsible for designed cross slopes of less than 1% that hold water after paving is complete.
- Price based on current petroleum cost. Price escalation to be linked to the WSDOT/ODOT asphalt binder index.
- Lakeside Industries Inc. proposed prices herein assume that Lakeside Industries Inc.'s work hereunder will be substantially complete on or before: **Aug 1st, 2022**.
- Unless Contracting Party has signed and returned this Agreement with in thirty (30) days of the date first stated above, LAKESIDE INDUSTRIES' proposal shall be null and void.
- CONTRACTING PARTY'S SIGNATURE ON ONE COPY RETURNED TO LAKESIDE INDUSTRIES INC. WILL RENDER THIS A LEGAL CONTRACT FOR THE PERFORMANCE OF THE ABOVE WORK. CONTRACTING PARTY'S SIGNATURE ALSO ACKNOWLEDGES RECEIPT OF LAKESIDE INDUSTRIES INC. NOTICE TO CUSTOMER' STATEMENT ATTACHED HERETO.
- **Approximate Total (Plus sales tax where applicable)** Total price to be based on actual quantity or measured unless otherwise specified.
- Working Hours to be Monday through Friday 7:00am - 6:00pm.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: <u>Fairwood Village Assn</u></p> <p>Signature: <u>[Signature]</u></p> <p>Date of Acceptance: <u>6/21/22</u></p>	<p>CONFIRMED: Lakeside Industries - Shine</p> <p>Authorized Signature: _____</p> <p>Estimator: Phil Lyonais 425.864.2262 phil.lyonais@lakesideindustries.com</p>
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6/15/2022 8:27:17 AM

Charles Mayfield for Fairwood Village Assn

Little Dog Excavations

COP Subcontractor Breakdown Summary

Project Name:	Charlie Mayfield			Cost Event:	
Project No.:		Source Documents:		Date:	6/16/2022
Contractor:	Little Dog excavations			Contractor Ref. No.:	
Description:	Saw cut existing asphalt in a 6'x 6' square around failed catch basin. Remove asphalt and legally dispose of. Vactor truck around existing catch basin down 5 feet and haul off materials. Mud existing pipes. Back fill with 3 CY of CDF concrete. Prep for asphalt and compact. Pressure wash joints identified by owner and prep for Lakeside paving seal coat.				
1. CRAFT LABOR COSTS				Itemize all costs on attached COP Cost Breakdown form.	
Direct Labor Costs:					
a.	crew (apprentices, journeymen, Foreman, & laborers)			\$ 2,010.00	
			DIRECT LABOR SUBTOTAL	\$ 2,010.00	
				1. CRAFT LABOR COSTS	\$ 2,010.00
2. MATERIAL COSTS					
a.	material total from cost breakdown form			\$ 3,409.64	
				2. MATERIAL COSTS	\$ 3,410.00
3. EQUIPMENT COSTS					
a.	equipment total from cost breakdown form			\$ -	
				3. EQUIPMENT COSTS	\$ -
				SUBTOTAL 1 thru 3	\$ 5,420.00
4. OVERHEAD & PROFIT					
a.	NTE 15%			\$ -	
				4. OVERHEAD & PROFIT	\$ -
5. LOWER-TIER SUBCONTRACTORS				Cost w/ Fee	Direct

(Costs including Fee)					Costs (fee removed)				
a.				\$ -	\$ -				
b.				\$ -	\$ -				
c.				\$ -	\$ -				
d.				\$ -	\$ -				
e.				\$ -	\$ -				
f.				\$ -	\$ -				
					5.	SUB-SUBCONTRACTORS		\$ -	
6. OVERHEAD & PROFIT ON SUB-SUBCONTRACTORS									
a.	Total Lower-Tier Subcontractor DIRECT Costs			\$ -					
b.	NTE 6% of Sub-Subcontractor direct costs			\$ -					
				6. OVERHEAD & PROFIT ON SUB-SUBCONTRACTORS				\$ -	
7. INSURANCE									
a.	payroll driven liability insurance	0.0 0	% of 1	\$ -					
b.	volume driven liability insurance		% of 1-6	\$ -	7. INSURANCE			\$ -	
8. Taxes									
a.	WSST	9.6 0	% of 1-7	\$ 520.32	8. BOND			\$ 520.00	
Form Revised 12/15/2015								TOTAL COST	\$ 5,940.00