

## Montreux Homeowners Association Meeting Minutes

**Date:** 14<sup>th</sup> July 2021, 7:00 p.m. – 8:15 p.m.

**Venue:** Zoom meeting

### Attendees from Board:

Joyce Stewart - President	Frank Yandrasits Treasurer, Past President Ex-officio, and Ponds & Stormwater
Jerry Mack - ACC + NGPE	Hamid Koohpai – Social Chair
Jerry Lilly – Waterfalls, Electrical	Donna Whitehead - Secretary
Lynn Mack - Newsletter	Connie Hanson– Vice President
Susan Glicksberg - Government Affairs	Cristian Gal – Website

### Absent

Donna Whitehead - Secretary Carrie Blanton – CC&Rs	Donna Whitehead - Secretary Judy Norman - Landscaping
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### Homeowners

Richard Labrecque - homeowner	Jay Willenburg – former Treasurer
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Quorum achieved at this July 2021 meeting.

### Joyce Stewart – President

#### **-Meeting Protocol**

The Board will forego the usual chair reports tonight to do “deep dives” into specific topics:

- Bullfrogs
- Code of Ethics
- Reserve study
- Strengthening Board level committees / position for Chair for electrical

#### **-June Meeting Minutes**

June 2021 meeting minutes were reviewed. Frank Yandrasits motioned to approve the minutes; Jerry Lilly seconded the motion. The motion passed and the minutes are approved.

## Treasurer's Report

### Statements (Year-to-Date as of July 12, 2021)

- Profit and Loss
- Balance Sheet
- Expense Detail

**2020 Federal Taxes** have been filed.

### 2020 Financial Audit

- Final report received from Newman Certified Public Accountant, PC.
- Make this available to all homeowners.

### 2021 Reserve Study

- Any questions or comments?
- Recommendation: **Update the 2021 Budget Summary** and distribute via **email to all homeowners**.

## Treasurer's Report

### 2021 Reserve Study

- Standard Level 1 Reserve Study with Site Visit
- Conducted by Reserve Consultants LLC (RCL)
- In compliance with **RCW 64.90.550 Reserve Study - Contents**

- Final report received on June 4, 2021

Reserve Fund Study Committee: Susan Glicksberg, Jerry Lilly, Jay Willenberg, Frank Yandrasits

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Prior to the meeting, Frank shared the P&L, Balance Sheet and Expenses, and Treasurer's Report with the Board for their review (see attached slide).

The Treasurer report was reviewed.

2020 Federal taxes have been filed with our HOA. CPA and will be made available to homeowners.

### **2021 Reserve Study - Frank Yandrasits**

Frank shared a draft letter detailing changes to the 2021-22 budget summary and the 2021 Reserve Study. The letter will be distributed to all Montreux homeowners. Copies of the Reserve Study will be available to Montreux homeowners by request.

There were no questions about or revisions to the letter.

### **Ponds & Stormwater Report/ Bullfrogs – Frank Yandrasits**

## **Ponds & Stormwater Report**

Frank Yandrasits

### **Bullfrogs**

- **American Bullfrogs** are an invasive species.
- They have been in Montreux for years. There seem to be higher numbers this year.
- They are very loud, particularly at night, and some lake residents want them removed.
- The Board's response to a homeowner's demand last August:

*Bullfrogs were not introduced by the Montreux HOA. The Board does not have a policy of protecting this species. The Board is not aware of any law requiring homeowners or homeowners' associations to actively eradicate this species.*

- A couple homeowners have offered to help.
- **Recommendation:** Schedule time during the July Board meeting to review proposal(s).

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## Ponds & Stormwater Report

Frank Yandrasits

### Bullfrogs

- Dually classified as both “Prohibited” and “Wild Animal” (Reference WAC 220-440-020), so recreational harvest methods apply.
- Per **WAC 220-416-120 Bullfrogs:** *It is unlawful to take bullfrogs except by angling, hand dip netting, spearing (gigging) or with bow and arrow. There is no daily limit on the number of bullfrogs that may be taken, no possession limit, and no size restrictions.*
- **Trapping bullfrogs is prohibited** unless a case-specific permit is issued. Per WDFW, they would not issue a permit in this situation because it does not involve ‘vetted scientists with secure facilities or is part of a WDFW monitoring/control program’.



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## Ponds & Stormwater Report

Frank Yandrasits

### Bullfrog Proposal(s)

1. Grant an exception to the CC&Rs for homeowners abutting the lakes to enable them to harvest bullfrogs per **WAC 220-416-120** along their property, or on neighboring property with permission. For example:

- **CC&R 5.14 Weapons.** No firearms of any kind or nature, including bows, slingshots, BB guns, or any other like weapon, shall be fired within the Property except by appropriate governmental officials in pursuit of their law enforcement duties.

2. Authorize the use of a Wildlife Control Officer (WCO) hired to harvest bullfrogs in compliance with WAC 220-416-120.

- Hiring homeowner submits plan to Board for approval.
- Board to grant access to the 10-foot easement\* and the HOA common areas (including the ponds).
- Communicate in advance with impacted lake residents.

3. Other proposals?

-Frank presented information from the Ponds and Stormwater Report (attached) about the bullfrogs in the Montreux lakes.

-Discussion about the bullfrog issue ensued.

-A motion was made by Joyce Stewart to enable homeowners to control bullfrogs using any legal method (reference WAC 229-416-120 Bullfrogs) that does not violate our CC&Rs (i.e. angling, hand dip netting or gigging) in the lake along their property or neighboring property with their neighbor's permission. Homeowners may hire a Wildlife Control Operator (WCO) with prior HOA Board approval to control bullfrogs. The approved plan must be communicated to affected lake residents in advance. If bullfrogs are taken in any other manner, a case specific permit must be obtained from Aquatic Invasive Species (AIS) and presented to the Board for approval. Any associated costs are the responsibility of the hiring homeowner(s).

The motion was seconded by Jerry Lilly. The vote carried.

### **Code of Ethics – Frank Yandrasits**

Frank presented a draft version of a Code of Ethics for Montreux Board Members (attached).

## Board Member Code of Ethics

**April Board Meeting Decision:** Document “**code of ethics**” for Board members.

The Montreux Homeowners’ Association (“Association”) Board of Directors (“Board”) is comprised of homeowners who volunteer their time in service to the Association.

**All Montreux homeowners** – and certainly officers, directors, and committee members – are responsible for complying with the Association’s governing documents:

- Declaration of Covenants, Conditions, Restrictions and Easements,
- Articles of Incorporation, • Bylaws,
- any adopted Rules and Regulations.

**Officers and directors** are not just entrusted by their fellow homeowners to act in the best interests of the Association, but they are also dutybound to do so.

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### HOA BOARD OF DIRECTORS MEETING – MAY 12, 2021 1

## Board Member Code of Ethics

### Proposal

To help meet the pledge of trust and fulfill their duty, all officers, directors, and chairpersons are expected to follow a “code of ethics” associated with their responsibility on the Board.

Review these expectations at the start of each new Board term:

### Duty of Loyalty

- Act fairly, in good faith, and for the benefit of the Association as a whole.

- Avoid acting where there is a conflict of interest. Disclose any potential conflicts or personal interest and recuse themselves from the discussion and vote in case one exists.
- Protect personal information about any homeowner, resident, or employee.
- Board members will NOT
  - exploit their position on the Board for personal gain,
  - accept gifts from suppliers or contractors,
  - disclose confidential information to any party outside the Board unless authorized to do so,
  - use association funds for personal use.

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# Board Member Code of Ethics Proposal

### Duty of Care

- Act in a prudent and reasonable manner.
- Make informed decisions for the association using sound judgment and due diligence.

This includes seeking and following the advice of subject matter experts, as necessary. ➤ Stay up to date on the association's rules and regulations.

### Scope of authority

- Perform their duties within the scope of authority as determined by the association's governing documents and the law.

**Board and Committee members will also:**

- Treat everyone with respect. They will not threaten, intimidate, or harass any board member, homeowner, resident, contractor, or employee.
- Allow community members the chance to voice their opinions on association matters.
- Support the decisions made as a board even if they do not necessarily agree with them.

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## Board Member Code of Ethics

### Proposal

**“Montreux HOA Roles” document from John Bryon’s files:**

- The Role of a Board Member
- Fiduciary Relationship and Responsibility
- Board Member Job Descriptions

When and how this document was developed are unknown.

Update this document and cross reference it with the Code of Ethics?

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A motion was made to adopt the Code of Ethics by Jerry Lilly.

The motion was seconded by Jerry Mack.

Motion carried and The Code of Ethics is adopted by the Montreux HOA Board. The Code of Ethics will be posted on the Montreux HOA website and will be reviewed with each incoming Montreux Board.

Many thanks to Frank for researching and compiling information to create the Montreux HOA Board Code of Ethics.

**ACTION:** Board members are asked to review the board member role descriptions that Frank will send. Please send comments to Frank by the end of July.

**Strengthening Board level committees / position for Chair for Electrical Chair - Joyce Stewart and Jerry Lilly**

-Joyce suggested to the Board that it would be wise to assist committee chairs by strengthening their committees. She asked that each Board member reach out to new members of the Montreux community to determine their interest in serving on the Montreux HOA Board by the end of the year.

-Three individuals are interested in the Chair position for the Electrical Committee:  
Jay Willenberg, Suresh Kumar, and David Lee

-Discussion regarding the responsibilities of the Chair of the Electrical Committee and the desired Chair qualifications followed.

-Jerry Mack made the motion to elect Suresh Kumar and David Lee as Co-Chairs of the Electrical Committee.

-Following an individual voice vote of Board members, Suresh and David were elected as Co-chairs of the Electrical Committee.

### **Homeowners' input and review of action items for the August meeting.**

The Board held an executive session. Prior to the executive session, Joyce stated the purpose was to share sensitive and confidential information. No Board action was taken during or after the session.

**Next meeting:** August 11, 2021. We currently aim for this to be a face-to-face meeting and Joyce will keep us updated on the venue.

**Meeting adjourned:** 8:20 p.m.