

Sunset Cove Homeowners Association
Monthly Board of Directors Meeting
July 21, 2016
Meeting Room of the Anacortes Library

Board attendees: Jackie Etsell, Alan Hanson, Tisa Kniskern, and Amy Schnabel.

Board members absent: Jean Warner.

Members present: Paul Allen, Barbara Ballentine, Bill Ballentine, Tom Blackwood, Vickie Cooley, Lisa Cornelius, Tim Cornelius, Ken Goodwin, Jeff Graf, Bonnie Hanson, Joyce McNeil, Cori Nelson, Jim Nelson, Connie Russell, Mike Russell, Chris Schnabel, Stan Singer, and Carrie Worra.

Guest: Nels Strandberg, owner Strandberg Construction.

1. Call to Order and Welcome:

The meeting was called to order by Jackie Etsell at 7:00 p.m.

SCHOA Board President, Jackie Etsell, announced that she received notice prior to tonight's meeting that Vickie Cooley resigned from the Board due to her busy work schedule as well as her position as the President on the Crest Condo Board. Jackie thanked Vickie for her service.

2. Meeting Minutes and Finance Report:

The minutes from the June meeting had been circulated electronically; approved as sent. The beginning checking account balance for June 2016 was \$24,926.63. With expenses of \$851.39 and receivables (assessments) of \$0.00 the end of the month balance was \$24,075.24. The savings account balance was \$5,705.92. The treasurer report was approved by the Board.

3. Committee Reports:

3a. ARC – Alan Hanson reported that Kim and Jeff Graf (SCE Lot 13, 2406 Washington Court) have submitted exterior paint colors for approval. An ARC Committee Meeting will be called to review.

3b. Landscape – Paul Allen reported in Jean Warner's absence that mulch is scheduled for July 29, 2016. He also stated that a large maple tree on SCHOA property adjacent to the sidewalk on Observation Blvd has a limb that is cracked. He is meeting with ProScapes on Saturday, July 23, 2016 to determine its fate. Paul received an email from Lawn Boy stating that there are no rust issues regarding median trees. However, it is thought that more irrigation is needed in this area. Jim Nelson is concerned about the gravel condition on Tract B. Gravel in some areas is very thin and has washed away.

3c. Publicity – Jackie reported that the 13th Annual Sunset Cove Homeowners Association Picnic is on Sunday, August 28, 2016 from 1:00 - 5:00 at the big shelter at Washington Park. The Summer/Fall 2016 SCHOA Newsletter will be released soon.

4. Old Business:

4a. Guemes Channel Trail/Revetment Project – no new information was reported regarding the Guemes Channel Trail/Revetment Project

4b. Garden Village Townhomes – Jackie announced that there is a meeting with the Planning Department on August 10, 2016 to get final approval for reducing the number of townhomes from 10 to 9. She plans to attend.

4c. Oakes Avenue Speed Limit Reduction – Eric Johnson submitted our proposal to increase the speed limit on Sunset Avenue from 25 mph to 30 mph to keep it consistent with 12th and Oakes

Avenues. It will be discussed at the next Traffic Safety Committee Meeting on Tuesday, August 16, 2016 at 9:00 am.

4d. ARC Issues: SCE Lot 13 and Tract B – Jackie began the discussion with summarizing actions that have taken place since June 23, 2016's SCHOA meeting. Because some neighbors were still not satisfied, Kim and Jeff Graf asked Strandberg Construction to review SCE Lot 13 property dimensions. After further review, it was determined that the Graf's do not own the hatched area of Tract B. Jeff Graf once again stated the process that they went through to determine ownership of this area. Based on the information they had at the time from both the City and County, they built a retaining wall which encroaches 2 feet (approximately 6-7% of total hatched area of Tract B) on this 10' Common Area Buffer. The Graf's have submitted and are now requesting a variance to encroach on the west-facing side of Lot 13 to allow for this retaining wall to support the weight of vehicles traversing the driveway, and to holdback the significant change in grade between the height of the driveway and the Common Area Buffer trail below. The SCHOA received a letter dated July 20, 2016 from the Law Offices of Vander Wel, Jacobson & Kim, PLLC demanding removal of this retaining wall. (This is the real estate litigation attorney for Charles and Patricia Nelson, SCE Lot 9.) Some HOA members requested that the letter be read. Jackie shared a portion of it. The following opinions/concerns were voiced by various SCHOA members:

- * The Graf's acted in good faith and were not trying to obtain land that did not belong to them.
- * Keeping the wall does not adversely affect anyone in the neighborhood, impact any views, or access to the walking trail.
- * The unprofessional, unneighborly, and unreasonable behavior of some property owners is embarrassing.
- * Five houses in our development have encroached. This situation is no different and granting a variance is not new.
- * Homeowners encouraged the SCHOA Board to seek legal counsel regarding this matter.

Jeff Graf offered to "gift" the retaining wall to the SCHOA in order to help resolve this problem. Jackie announced that a meeting with the SCHOA attorney (Neli Espe, Olympic Legal Services) was scheduled. Barbara Ballantine stated that if a legal decision was made, she would put this issue to rest. A straw vote was taken: 12 property owners are in favor of granting the Graf's request for a variance; 0 property owners were against; and 2 abstained. 5 proxy votes were received in favor of Graf's variance request.

5. New Business: no new business was reported

6. The next meetings are scheduled for Thursdays, August 18, September 22, and Tuesday, October 25, 2016 at 7:00 p.m. at the Anacortes Library.

7. This meeting was not adjourned per SCHOA Bylaws Section 2.5. It will be continued in the future. Discussion ended at 7:53 pm.

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This meeting was continued on Monday, August 1, 2016 at 7:00. Paul Allen, Jackie Etsell, Alan Hanson, Tisa Kniskern, and Amy Schnabel were in attendance. Discussion ensued regarding Kim and Jeff Graf's variance request. No decision was made. The meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Amy Schnabel
SCHOA Secretary