

MBR Board AGM 2021

Thursday, July 8, 2021 5:10 PM

- Date: Saturday June 26, 2021
- All times noted are Pacific time, PM.
- Attendees for quorum (list appears at end of minutes)
 - Zoom count
 - 44 who are not Zoom presenters are present
 - 9 who are Zoom presenters are present
 - Three households with two callers each are present (Fitting/Sankey/Hill & Ringström)
 - Two staff present: Laura Meyer, Mike Wilson.
 - One not-voting guest present (MBR Treasurer who resigned/sold home during the previous month): Chris Park.
 - Quorum count: 44+9-3-3=47
 - Quorum requirement: 38 members
 - Quorum met
- UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT: the MBR 2021 AGM would commence @ 1:43.
- 2020 AGM Minutes
 - [1:49] No questions regarding 2020 AGM minutes.
 - UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT 2020 AGM Minutes were approved.
- Directors' Reports [written reports will be available online]
 - [1:51] Lisa [President] Introduces board members and staff.
 - [1:57] Chris [Treasurer]
 - [2:30] Questions were taken from the membership regarding the 2020 Financial Statements, 2022 Operating Budget, 2021/2022 Reserve Budget and the Reserve Report the Board had initiated.
 - [2:36] UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT MBR 2022 Operating Budget and 2021/2022 Reserve Budget was ratified. {Subsequently voted on by membership.}
 - [2:36] UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT MBR 2020 FINANCIAL STATEMENTS WERE RATIFIED. {Subsequently voted on by membership.}
 - [2:38] Annual audit waiver - Chris gives reasoning for waiving the 2021 requirement. Mainly audit will cost a great deal more and not materially improve the quality of our information.
 - [2:39] UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT MBR 2021 WOULD WAIVE AUDIT REQUIREMENT FOR 2021. {Subsequently voted on by membership.}
 - [2:41] David (Secretary)
 - No questions
 - [2:45] Rheannon (Violations)
 - [2:52] no questions
 - [2:53] Steve Pand (Legal & Insurance)
 - [2:57] no questions.
 - [2:58] Ben (Property Standards)
 - [3:04] Questions
 - [14027] - Asks how many vacant lots are on market?

- [14058] - What do we do about derelict properties? Messy property on Canyon lane. Ben explains how COVID (and the inability for Canadians to get to Whatcom County) has resulted in some properties getting less care than usual and how MBR has tried to take this into consideration by not being overly harsh on property landscaping/care.
 - [19035] - Appreciates how things are being handled
 - Rheannon - Reiterates that the Rim is being patient with people who can't get here to take care of properties.
 - [17012] - Wants to know whether anyone reaching out to BC owners?
 - [3:11] Rip (Grounds and Maintenance)
 - [3:16] Michael Wilson (new Community Manager) - gives overview of clubhouse and settling / structural problems.
 - Questions
 - [3:24] [17012] - Why is the clubhouse location a problem? Isn't it on the drain field?
 - ◆ Michael: We would not be allowed to build it today due to it being right on Glacier Creek, but it is grandfathered.
 - [3:26] [22015] - Is clubhouse structure at risk?
 - ◆ Michael: yes.
 - [3:26] [19036] - Advocates for more speed bumps in the rim. Also mentions that upper level of clubhouse is built on fill. Also adds that maybe records are in clubhouse attic.
 - ◆ Rip says they are looking at more speedbumps.
 - [3:29] [16047] Says she used to be social director, and it is obvious that previous people didn't do what was needed to be done to fix the clubhouse problem in 2009.
 - [3:31] ["anonymous attendee"] asks if clubhouse could be remodeled to fix it.
 - ◆ Michael and Rip say we need to investigate.
 - [3:34] [15028] Asks why, since WA State opens up June 30, we need to do anything special to open pool?
 - ◆ Rip explains that WA-DOH has not updated requirements and also we have the issue of handwashing / showering / entry access.
 - [3:36] [14027] asks if we can borrow money cheaply to fix clubhouse.
 - ◆ No real answer to this question.
 - [3:39] Sheri -
 - Question:
 - [3:49] [14058] asks if we are comfy with security profile of site/ Sheri says yes.
 - [3:54] Done w/ directors reports
 - [3:55] Chris Park, previous Treasurer, departs meeting.
- Introduction of MBR Staff -
 - Chris Starks, Laura, Michael, Kenny
- [3:57] Potential New Board Members [1 minute presentation, per]. Checkmark indicates present and gave short introduction.
 - ✓ [3:58] Rip
 - ✓ [3:59] Steve Pand
 - ✓ [4:00] Ben Williamson
 - ✓ [4:01] Eric Sankey
 - [4:02] Algela Urso - Not present
 - ✓ [4:02] Arnost Fronek
 - ✓ [4:03] Dawn Chaplin
 - [4:04] Tom Burfield - Not present
 - ✓ [4:05] Heather Hofmeister
 - ✓ [4:06] Steven Weinreich
 - ✓ [4:07] Rob Woods

- ✓ [4:08] Jenn Vintz
- Additional last-minute nominee
 - [4:10] Marsha Wilson - 2014 resident, loves it here, would like to volunteer.
- Nominations:
 - UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT EACH MEMBER APPLYING FOR DIRECTOR POSITION WOULD BE ADDED TO VOTING LIST.
- Bylaw questions
 - [19035] - Wants to know why new construction projects need to be presented to board and also liaise w/ Property Standards. Steve responds that it is needed as a check and balance to make sure there is consistency.
 - [11098] - Why president serves two years? Question not clear.
 - [19036] = Section 9, property rental - and home based businesses: believes rentals are business activity which is not allowed at MBR; also that rentals are source of most problems at the Rim. Does not believe this is a bylaw change only, due to call-out in covenants. This is all around business activity issue.
This is a long discussed topic. RCW prohibit HOAs from restricting owners from most use of their homes without a supermajority, which includes every effected member. While we have a restriction in our covenants that declares residential purposes as being allowed, the same section precludes business and commercial activities. Given that RCW 64.34.264(4) prohibits the restriction outlined in our covenants, the fact that the Rim has not tried to enforce it over a long period of time, the issue is moot.
 - [19035] - Asks if bylaw voting will be done piecemeal or all or none? Steve confirms piecemeal.
 - [16047] [Out of order, as we are discussing bylaw proposals.] Wants to know if she is still social director? Wants to know why there isn't \$300 sitting in social account. Note: Member is currently not on board. Social Director position never actually existed in our bylaws, therefore there is no Social Director position.
 - [4:25] Power Failure in Glacier. Meeting is suspended.
 - [4:30] Power resumed, and we are back online, and meeting resumes.
 - [4:30] UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS, IT WAS RESOLVED THAT BYLAW CHANGES AS OUTLINED WOULD APPEAR ON ELECTRONIC BALLOT.
 - [4:32] [19036] High speed internet: why aren't we getting it?
 - David and others: Zippy wanted a multi-million dollar, three-year guarantee from the Rim with the Rim taking all credit risk. Installation in Snowwater is inexpensive due to that complex being multi-unit apartment buildings.
 - [4:36] [19035 #1] - Wants to know why attorney opinion regarding whether it was okay for people from same household on the board is covered under attorney client privilege.
 - Steve: this happened before Steve's time. He would need to review this. Member is upset that membership can't review all legal opinions that MBR paid to have rendered.
 - Lisa: by instructions of our attorney, the opinion is under A/C priv.
 - [4:43] [19035 #2] - Question of proxy voting. Can people still give others their proxies?
 - Sheri explains that proxies can be shared simply by forwarding the email received to the another person.
 - [4:48] [12039] - When everything is operational again why can't we charge short term renters to use facilities to make money?
 - Note: allowing short-term renters to use clubhouse and pool is a contentious issue that has been discussed over-and-over. Each time it's voted in historically, the vote has been to not allow s/t renters to use MBR facilities.
 - [4:49] [19035 #1] Was Dick's earlier question on covenants answered?
 - Note: Steve said earlier he would look into this.
 - [4:50] [17012] - more on whole renter use of pool issue.... Eight people staying in a single house; lots of load on clubhouse and doesn't want to share w/ profiteers.

- Lisa says maybe have a subcommittee to investigate.
- [4:53PM] UPON A MOTION DULY MADE, SECONDED AND CARRIED WITH NO OBJECTIONS: the MBR 2021 AGM is adjourned.

RESULTS OF ONLINE VOTING AS AMMENDED TO MINUTES OF 2021 AGM

- RESULTS OF ONLINE VOTING: 98 ballots submitted of 362 eligible voters
 - Yes - I approve the 2020 Financials as presented: 87 votes (100.0%)
 - Yes - I approve the 2022 Operating Budget and the Capital Reserve Funding Plan: 86 votes (96.6%)
 - Yes - I approve the proposal to waive the 2021 MBRCC financial statement audit: 85 votes (95.5%)
 - Yes - I approve the proposed changes to Article III: 72 votes (80.0%)
 - Yes - I approve the proposed changes to Article IV: 88 votes (97.8%)
 - Yes - I approve the proposed changes to Article IX: 72 votes (79.1%)
 - Yes - I approve the proposed changes to Article XIV: 69 votes (75.0%)
- RESULTS OF ONLINE VOTING FOR DIRECTOR SEATS
 - Steve Pand - currently Legal & Insurance Director (interim): 78 votes (13.4%)
 - Ben -Williamson currently Property Standards Director (interim): 78 votes (13.4%)
 - Rip Robbins - currently Grounds & Maintenance Director: 76 votes (13.1%)
 - Arnost Fronek: 46 votes (7.9%)
 - Rod Woods: 57 votes (9.8%)
 - Eric Sankey: 38 votes (6.6%)
 - Dawn Chaplin: 37 votes (6.4%)

ATTENDEES PRESENT AT QUROM COUNT

ATTENDEE LIST @ QURUM COUNT W/O DUPES

Arnost Fronek
 barb korducki
 Ben Williamson
 Bob Smith
 Brad Roberts
 Brian Nicholson
 Brian Smith
 Bridget Provalenko
 Catherine Fitting
 CHRIS Fitting
 Damian Provalenko
 David CLEMENTS
 David Hill
 Dawn Chaplin
 Doris Horvath
 Eric Sankey
 Frances Titus
 Heather Hofmeister
 Jeff Van Horn
 Jen Martin
 JENNIFER GRIFFITH
 Jennifer Vinz
 Joel Leppala
 Kathryn Clouse

Katie Meyer
Ken Hanna
Kerisha Crutcher
Kristie Timss
Lisa Beliveau
Lori Coverdale
M Wilson
MARK ABLONDI
marsha wilson
Matt Gee
Michael Johnson
mike gooch
pam sankey
Phil Hobman
Rachel Nugent
Reeve Newton
Rheannon Schoephoester
Rip Robbins
Rob Woods
Robyn Waldron
Samantha Burfield
Shannon Kalvig
Sheri Hargus
Steve Pand
Steven Weinreich
Sue Sprinkle
Susan Michaels
Titti Ringstrom