

**Little Whale Cove HOA  
Board of Directors  
Minutes of the July 28, 2023 meeting  
Recreation Center**

1. Establish a quorum
  - a. Present: Clark (Zoom), Steinke, Caldron, Seibold, Buller – forum established;  
Homeowners: 19 in attendance; 14 via Zoom
2. Regular business
  - a. General Announcements
    - i. Dena is a very busy at this time so please avoid interrupting her with questions concerning policies or information that can be found on the LWC Website
  - b. Homeowner Forum
    - i. Anne Bradley alleged that certain policies and procedures of the election committee were violated.
    - ii. Rici Peterson, the committee chair gave a report on what occurred at the organizing meeting at the gate house last week and denied knowledge of any violation of the election policies resolution.
    - iii. The meeting was temporarily adjourned due to home owners refusing the chair’s repeated requests to stop speaking out of order.
  - c. Approval of the board minutes of August 25 board and August 28 joint meeting of all boards
    - i. Motion: Caldron, Seconded: Clark; Ayes 5 Nays 0
  - d. Management reports
    - i. Monthly Financial Report: E Clark & Tim Buller
      1. Controlling for some accounting issues, the budget is on target
    - ii. Community Manager Report – Dena
      1. Decks at Gate House are completed
      2. Tract J – meeting held at the gate house with the present and prospective lot owners of the four lots affected by Tract J; there are some LWC drainage system routing issues that will need to be addressed; association is responsible for the drainage system which drains from Cormorant down Tract J to the south onto Lot 157. Drainage engineer will need to be engaged to address how best to reroute the drainage along the existing drainage easements that follow the lot lines to avoid impairing the ability to construct homes on Lots 156 and 157. Also, the buyers of Lot 157 and 156 will need to contact the relevant companies to relocate their existing utility pedestals at the south end of Tract J to allow the driveway connections to lots 156 and 157.
      3. Motion: Engage the engineer to do the drainage study
        - a. Motion: Steinke; Second Clark; Ayes 5 Nays 0

- iii. Due to the Annual Meeting a motion was made by the chair to move the October board meeting to 9:30 a.m.
  - a. Motion Caldron; Second Seibold: Ayes 5 Nays 0
- iv. Contracts and maintenance – Scott
  - 1. Scott reviewed a number of projects including drainage culverts, crack sealing of tennis courts
  - 2. Completed annual Tree Survey
  - 3. Both coast flood lights will be removed soon
  - 4. Beginning the Singing Tree path, cost of \$1000-1500
  - 5. Staff will be overseeing the Spectrum installation
- v. Approval of the management reports:
  - 1. Motion: PC; Second: GS; Ayes 5 Nays 0
- e. Committee reports
  - i. AC – Paul Banas
    - 1. 14 requests: tree trimming, lighting, paint stains (one withdrawn), rooves and deck – rescind a fine for starting a roof
    - 2. Investigating rusted shed on Edgewater
    - 3. Next meeting on 10/12
  - ii. Forrest – Dave Dumas
    - 1. Reported on a number of projects including Blackberry removal, planting trees and monitor during the winter; due to spraying homeowners are encouraged to avoid the area; one tree in the Pines being scheduled;
    - 2. Nothing is planned to go into that area – will be an open area and fire break
    - 3. Next meeting 10/12 at the Rec Center
  - iii. Reserve – Tim Buller
    - 1. Summer road work has been completed; seal coating delayed due to weather
    - 2. Gate house work completed, front office remodeling to begin in November
    - 3. If any residents would like more information on how the reserve process is conducted or any specific questions, please direct them to our Treasurer.
  - iv. Safety – Rici Peterson
    - 1. No meeting in September
    - 2. Next meeting is 11/4
  - v. Social – by Kelly Caldron
    - 1. Next event is the Fall Fiesta next Saturday, 9/30
    - 2. Food drive in conjunction with the annual meeting
    - 3. Artisan on November 10 (residents) and 11 (open to all) at the Rec Center; Showcase is at capacity
  - vi. Motion to approve Committee Reports
    - 1. Motion: Seibold; Second: Caldron; Ayes 5 Nays 0

3. Unfinished business

a. Singing Tree walking path

- i. Budget of \$1000-1500 for material costs – project tabled until staff can consult the homeowners adjoining the path

b. LWCCOA

- i. MOU approved by LWCCOA board
- ii. Motion to accept the MOU:
  1. Moved Caldron; Seconded Seibold; Ayes 5 Nays 0

4. New business

a. Lot 158 easement

- i. A meeting was held at the gate house with affected residents and prospective purchasers, Dena and Gene Grant. Director Steinke appeared uninvited at the meeting and attempted to negate previously approved board policy regarding the Tract J easements, which policy is required by Oregon and Federal statutes. This put our Community Manager in a very difficult position.
- ii. The board reiterates that once a policy is adopted, individual board members must conform with policy. Policy can only be developed, reviewed or changed by the board. A board member should never ask the Community Manager to act contrary to board policy. A motion to reconsider policy at a board meeting is the only appropriate way for a board member to raise any concerns about board policy.
- iii. Director Seibold noted that Director Steinke previously released pre-decision making internal board emails about the Spectrum easement to individual homeowners in an apparent attempt to prevent the board from granting such an easement. This behavior resulted in a confrontational town hall during which some residents made personal attacks on the board, the Treasurer and our legal officer. The fact is LWC had no ability to disallow the requested Spectrum easement in the first place because the LWC Declaration had already granted a generic utility easement covering the entire community and any utility vendor may utilize that existing easement. The board learned of this existing utility easement during its due diligence on the Spectrum request. The board went out of its way to present to the community the results of the due diligence which is how policy is developed in a transparent manner.

b. Recreation Center reservation updates

- i. Rec Center was left in unacceptable condition including the gas grills after a prior private event. Therefore the existing Rec Center reservation policy is adjusted as follows:
  1. Increase the deposit to \$100 – returned when staff have evaluated the condition of the facility
  2. Will include a checklist of tasks that need to be done before deposits are returned
    - a. Motion: Caldron, Second Clark; Ayes 5, Nays 0

5. Adjournment

- i. Motion: Caldron; Second: Steinke; Ayes 5 Nays 0