

# RUSTLEWOOD HOMEOWNERS' ASSOCIATION

111 E. RUSTLE WAY  
GRAPEVIEW, WASHINGTON 98546

## BOARD MEETING MINUTES

August 7, 2022

Board Members present: Vicki Moore, President; Albert Portner, Vice President; Bill Walker, Director; James Layman, Director; Sydni Neves, Director  
Treasurer: Rod Tull; Secretary: Dick Pope

Meeting called to order at 1:57 PM by President, Vicki Moore.

### NEW BUSINESS:

1. A complaint was registered with the board in regard to an Executive meeting that was held on February 21, 2022. Vicki Moore read the complaint and the response from the board. After meeting with the Association lawyer, Stephen Whitehouse, the attached response was given. The board acknowledged that proper procedure would have been to limit that meeting only to the topic of which we met. We corrected our mistake by publishing the other topics that were discussed. We as a board wanted to reiterate that we believe it is important to maintain transparency in association matters but when a homeowner requests a meeting, and they feel that the scope of that meeting needs to be kept private that the need for privacy trumps the need to know. After a discussion by some homeowners at the meeting the matter was considered closed.
2. Rod Tull, treasurer gave an update on the status of the association finances.
3. Rod spoke about the new lock that will be installed for access to the cabana. The new lock will be electronic and those needing access will be given a code to access the cabana. The hope is that this new procedure will make it easier for users so they no longer will have to pick up a key and return it when done.
4. Sydni Neves, who maintains our website, talked about a new form on the website that will enable homeowners to reserve the cabana online.
5. A homeowner asked if it was possible for signage to be erected stating that the beaches on either side of our property at the waterfront are "private". The board agreed to look into having signs that stated that fact.
6. The 4<sup>th</sup> of July celebration was discussed, and Vicki thanked those who participated and especially those who helped to clean up. It was discussed how best to make sure that trash and cleanup is not left for a select few. We will continue to encourage those who come and participate to pick up their trash and take it home with them. The need for an extra pickup from Mason Garbage was discussed and will be reviewed by the board.
7. Vicki brought up the idea of having at least once a year an all association get together and call it "Rustlewood Days". There seemed to be a lot of interest in having a yearly celebration starting in 2023. Vicki asked for anyone that would be willing to head up a committee and Angie Neal volunteered.
8. There was a question about our water system and whether it was being tested. The answer was yes, and homeowners receive a water report along with their water and sewer bill on a quarterly basis. It was pointed out that a representative was at our Annual Meeting and answered many questions in regard to our water system and the ongoing effort by Mason County to maintain and update our system.

9. A question was raised about notifying homeowners about association meetings. It was noted that all meetings other than Executive meetings are posted on the reader board and on the website. At this time, we will not be sending out written notices which can be costly and involve extra work to do so. A question was raised as to the possibility to send an email as one form of notification but at this time we do not have email addresses and keeping them up to date can be time consuming. We will bring it up at the next annual meeting and see if homeowners would be willing to give their email address for contact purposes.
10. A homeowner brought up the need for a "no parking" sign on the grass area at the treatment plant. It was stated that cars park there for large events such as the 4<sup>th</sup> of July celebration. We will need to talk to the Water Department before any action is taken since that is county property.
11. A neighbor dispute involving a board member was brought up at the meeting. The homeowner read their complaint at the Aug meeting. The board member responded to the complaint. The board felt that they needed to meet briefly in private to discuss the matter. The meeting was adjourned and all who were not on the board were asked to vacate the cabana while the matter was being discussed. The Board met in Executive Meeting which was called at 3:05 pm. After a brief recess, the Board asked for the homeowners to return. It was announced that the board member involved in the dispute would be removed from the board.

Meeting adjourned at 3:15pm

Meeting minutes by Richard Pope and Rod Tull

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July 27, 2022

## Executive Board Complaint:

A complaint has been made in regard to an Executive Board Meeting that was held February 21, 2022. The complaint was made by a homeowner that was asked to leave because the meeting was closed. We would like to address that complaint at this meeting. The board was meeting on the date of February 21, 2022 because of a concern from another homeowner who had an issue which they would like to present to the board and to see if we could come up with a solution. The homeowner requested a closed meeting because they wished to keep the matter private and had a concern that there could be retaliation if the subject of that meeting was made public. For that reason and that reason alone was the meeting closed to other homeowners. The meeting was not advertised as the intention was for it to remain private.

The board and in particular the board president takes all complaints seriously and tries to work through an issue before it becomes a serious matter. We, the board, take our duties in representing all of Rustlewood a priority and appreciate the confidence that is given to us to handle matters that most homeowners would rather not deal with. We also feel that a homeowner's privacy is more important than a need to know. In an effort to be transparent and to avoid any act that would be considered illegal or violate our by-laws we consulted our association attorney for guidance and legal advice. We provided Stephen Whitehouse of Whitehouse & Nichols a copy of the complaint and a copy of the minutes from the meeting in question. Mr. Whitehouse's response was as follows:

1. The board is within its discretion to call an Executive meeting and the results of that meeting do not have to be made public.
2. The board acted in good faith but made the mistake of doing other business in that meeting. The business talked about which would pertain to the association at large are as follows:
  - a. Melissa Thompson, board member, sent the board her letter of resignation.
  - b. Rod Tull, treasurer provided a financial report as of the date of meeting.
  - c. Annual meeting notice was discussed and will be mailed for meeting of June 5, 2022.
  - d. Bill Slining requested we clean the moss off the cabana roof.
3. The RCW 64.38.035 does refer to the process of convening for a closed session but if the reason for the closed session is for the purpose of privacy for a homeowner than he felt using common sense is warranted. If you are meeting for privacy, then the process of opening a public meeting and then closing the meeting defeats the purpose of the meeting or the need thereof.
4. Mr. Whitehouse did not feel the board did anything illegal and certainly would not put the board in legal jeopardy. He suggested that the board and others refer to our bylaws. Mr. Whitehouse reminded us that he works for the Rustlewood Association and does not represent the board. He suggested we make the adjustments and move on.