

**HMC Management Board Meeting Minutes  
(January 9, 2010)**

**Call to Order:** Fred Fath called the meeting to order at 10:05 AM.

**Roll Call:** Fred Fath, President/Treasurer, Kathryn Deuster, Vice President, Janet Podell, Secretary; Judy Greinke, Asst. Treasurer,

Fred Fath reported that Mark Anderson was offered and has accepted a place on the Board to fill the position vacated by Pat Pitt until the next election. **Fred made a motion to accept Mark Anderson as an HMC Board member. Motion carried.** Mr. Anderson then took his place at the Board's table.

**Previous Board Meeting Minutes:** Judy Greinke made a motion to accept the December '09 meeting minutes. Motion carried.

**Correspondence:**

- One piece of correspondence was received during the month (a proposal from NW Water Systems). This was discussed when it came up during the course of the meeting.

**Finance:**

- As Treasurer, Fred Fath reported that there are some upcoming expenses that may result in a budget overrun. (e.g. Docks & Dolphins budget) As a result we may have to tap the Reserves. However, at this point in time we are currently on budget in accordance with the plan. Fred explained that this month there is a large bill for attorney's fees. He explained that these expenses are directly resulting from the legal challenges made by members on the road encroachment issue. Fred reported that there are sufficient funds in the Reserves to cover these expenses.
- **Fred Fath made a motion to pay the bills. Motion carried.**

**Administration:**

See the Island Manager's report for miscellaneous Administration issues not directly mentioned here.

- The negotiating team is in place and will be exchanging proposals with the Union at the next meeting scheduled for January 20th.
- Fred brought up a recent change relative to the decision to hire legal assistance in negotiating the union contract. Subsequent to a meeting with the selected attorney it was very quickly realized that having just Fred and Janet conduct the negotiations alone would not be a good idea. The attorney explained the risks and pitfalls we could encounter if we attempted to navigate through delicate NLRB issues ourselves. As a result, it was decided that our attorney, Mr. Ellsworth will be present as the lead negotiator in all face-to-face meetings with the Union. Laurie West asked if the interim proposals will be made available to the membership. Fred explained that we risk violations from the NLRB if we discuss the negotiations with anyone other than the union. Max Hochanadel spoke up about his 27 years of experience as a labor lawyer. He mentioned that he knows Lynn Ellsworth and thinks very highly of him. Linda Moren asked if there was anything members should not be discussing with the crew. Max made it very clear that members should not be talking to the crew about anything relative to the negotiations. A notification about this will be included in the January Beachcomber.

**Legal:**

See the Island Manager's report for miscellaneous Legal issues not directly mentioned here.

- There are currently 13 delinquencies, five of which are with the island attorney.
- The Island Manager made a general request to the membership. As a result of the high legal bills recently incurred to defend against members' legal challenges, it was requested that before a member initiates legal action, they first try to resolve their issue with HMC Management through the Island Manager.
- In the last year we overran the collection costs in the Legal budget primarily because there is a delay in receiving compensation until all monies are actually recovered. This is an artificial overrun until all funds are received.
- Mark Anderson recommended that members concerns need to be heard and acknowledged as a way of averting the involvement of attorneys and related expenses.

#### **Land Use:**

See the Island Manager's report for miscellaneous Land Use issues not directly mentioned here.

- Kathy Deuster reported that the LUC committee has worked very hard at updating their charter. It was requested that it be approved on a 3 month interim basis to give everyone an opportunity to evaluate its implementation and relationship to the charters of other committees.
- Judy Greinke reported that there are currently nine different charters from the past and all Committees are requested to update their Charters. The old ones are available for information reference if the need arises.
- Kathy Deuster recommended that the Board create an "HMC organizational chart" to include all committees. This is underway.
- In the future the Board will seek recommendations from the LUC where members are encroaching on HMC land and provide guidance on a case by case basis. This approach would not preclude the Roads Committee from also making right-of-way recommendations to the Board.
- All committee chairpersons were asked to meet together following the next Board Meeting to discuss common charter wording and areas of overlapping responsibilities.

#### **Transportation:**

See the Island Manager's report for miscellaneous Transportation issues not directly mentioned here.

- The Island Manager reported out on the upcoming dock inspections required by Pierce County. She requested the Board's permission to fund up to \$5000 for the inspection. **Judy Greinke made a motion to authorize this expenditure and contract with Sargent Engineering for the cost of inspecting both the island and mainland ferry docks. Motion carried.**
- Pierce County Public Works has contacted HMC about the possibility of doing a land swap at the mainland dock that would give us ownership of the property under the dock. This would get us out of having to lease this land from Pierce County. It was stated that this also would result in the need to evaluate our current insurance coverage.
- On Friday Jan 8<sup>th</sup>, there was an inspection by six contractors to review our docks and dolphins as part of the proposal process for dolphin replacement. This would include the pilings at the North Beach marina. It was made clear that this will be an additional expense to the island over a period of 2-3 years. The total

cost could be upwards of \$500K. HMC has already begun to fund reserves to cover some of these expenses.

### **Rules & Regulations:**

See the Island Manager's report for miscellaneous Rules issues not directly mentioned here.

- Fred Fath reported that Eric Bergson resigned his position as Chairman of the Rules Committee. Max Hochanadel has agreed to assume the Chair position on the Rules Committee. **Kathy Deuster made a motion that we appoint Max Hochanadel as Rules Committee Chairman. Motion carried.**

### **Emergency Preparedness:**

See the Island Manager's report for miscellaneous emergency preparedness issues not directly mentioned here.

- It was reported that the contract has been signed with FD16 and the fire truck remains on the island. FD16 has removed the ambulance. This offers an indirect benefit to members in maintaining a fire insurance rating that may directly affect individual homeowner's premiums.
- Mike Davis reported that they have updated their Charter and Mission statement. He is developing a plan for first aid and defibrillator training. He is looking to solicit more volunteers.
- There was a question from Laurie West about member access to the defibrillator in the event it is needed. Discussion followed about if and where the locked box should be installed. It needs to be readily available for use in cases of emergencies. Fred suggested that it be installed outside the Community Center under the covered patio area. He also asked Mike Davis to write up a notification for the Beachcomber. Laurie West offered to write an article about first aid recommendations for island members since the ambulance has been removed.

### **Water:**

See the Island Manager's report for miscellaneous Water issues not directly mentioned here.

- Mike Davis reported that, according to the samples taken, water quality has been excellent over the past year.
- Steve Chapin reported out that the Water Project Committee is moving forward. They submitted their charter and mission statement to the Board. Steve requested that a link to their Water website be posted on the HMC website. The Board expressed concern that we cannot control what is said on the water website and hesitates to provide the link. Steve asked the Board to reconsider.
- There was a recent USDA meeting attended by HMC as well as WPC members, and the Island Manager reported that stimulus money is available. HMC is planning to move ahead with the application process. A previous water engineering consultant submitted a proposal for \$7K which the Board is considering. Steve requested that the Board hold off for a period of 30 days to enable them to research alternative contractors that might better serve HMC for preparation of the application. Discussion followed about why this would be a better solution. Steve has committed to report back to the Board by Feb. 10<sup>th</sup>.
- Judy Greinke commented that the Board never deliberately attempts to circumvent the activity of any committee and suggested that we need to develop and define a specific communication process.
- Extensive discussion followed about the Water website and the content of the information contained therein. It was discussed that information available on the

website should be identified as either factual (e.g. actions taken, statistics, etc) or opinion (e.g. individual member input and comment, etc.). The Board agreed to recognize the water website and link it to the HMC website if disclaimers are posted that opinion content, such as the presentation made to the members at the July Water meeting, is one person's opinion only, and not necessarily the position of the WPC or the HMC Board. Steve agreed to modify the website and forward it to the Board for review before the link gets posted on the HMC website. Additionally Laurie West agreed to edit any articles posted there to ensure that they contain no inappropriate language or personal attacks.

- Members discussed the need to have information about water breaks, etc. and the Board suggested that a separate communication path be developed for that information. Data collection today is channeled through Karl Schafer but is not consistently being reported back. Fred requested that the WPC recommend a plan for future reporting of this kind of information.
- Janet Podell brought up the responsibility of the WPC as defined by the Board. She noted that the WPC is tasked to develop a plan to move us toward a new upgraded water delivery system only. The WPC is not tasked to control or make recommendations about maintenance or water sample testing for the existing water system. Mike Davis, as the HMC Water System Manager maintains responsibility for those tasks.

#### **Parks:**

- Tracy Anspach reported that in February the Parks committee will meet to discuss upcoming projects. It was suggested that he and Alice Nelson collaborate on the issue of derelict boats.
- Kathy Deuster asked Tracy to validate that the current Charter is still valid.

#### **Roads:**

See the Island Manager's report for miscellaneous Road issues not directly mentioned here.

- Fred Fath reported that two Pierce County representatives responsible for storm water drainage came out to the island on Jan. 8<sup>th</sup> to advise HMC on the south end drainage issues. It was a perfect day to have this review since it rained steadily the entire time. The meeting was attended by several people including many of the affected neighbors who reside at the south end of the island. Also in attendance was a representative from Baseline Engineering, with whom HMC had previously contracted for some basic road design in the area. A tour of all affected areas was conducted, after which the meeting reconvened at the Community Center. The Pierce County reps concluded that: 1). any water on the roads that naturally flows onto private property is the responsibility of the property owner. 2). HMC is responsible for maintaining ditches. 3). HMC has an obligation to properly control the water flow on all right of ways before it is "delivered" onto private property.
- The Pierce County reps said that moving the road and curing the encroachments with respect to the Podell and O'Neill properties would not have any negative effect on the current drainage conditions or add additional volume to the water currently draining down the road.
- Fred went on to explain some of the options that are available to the island to alleviate the drainage conditions and move the roads currently encroaching on two members' property. The reps stated that we could possibly channel the current water flow down the South Beach trail as was suggested by John Kalmbach.
- A statement was made by a member that there may still be a permit issue. The county reps indicated that we should be okay if we limit any impervious surface created to under 2000 sq ft; in which case no permit would be required. The current plan keeps the impervious surface created under this limit. However, we will still check with the County to verify that we don't require a permit.

- To summarize the go-forward plan HMC will:
  - Contract with Baseline Engineering to provide the plan exhibit.
  - Schedule another meeting with the members to review the exhibit.
  - Get cost estimates and alert the County as to what we are doing.
  - Move forward with the improvements to the drainage and cure the encroachments.
- On the subject of tree removal, Allen Moren asked if future plans to remove trees should involve the Roads committee. The answer was yes.
- Kathy reminded the audience about the proposal last month by Doyle Parnell to adopt Herron Road for litter control. He had requested that a notification be placed on the website but since he is an employee of the company, we felt it was inappropriate to publish this material on the website or in the Beachcomber. She went on to state that Doyle Parnell is free to place and pay for an ad in the Beachcomber.

**Technology:**

- Fred Fath and Terry Fletcher are actively working on a plan to automate our ferry collection process. Fred is designing the software and Terry will design the hardware solution.
- Terry Fletcher stood and stated his credentials and indicated that he has located a hand-held device that may work in our environment. Computing is his field of expertise and he has offered to volunteer all of his time and experience to the island at no charge. The Board expressed sincere appreciation and thanked him for this.
- A lot of discussion following about how the new process would work and different options that may be available to us.
- Dallas Amidon asked about how we will handle members who may unknowingly be delinquent on ferry fees that are charged to their accounts. The Board took Dallas' comments under advisement. It is obvious that we need to address these kinds of issues.

**Member Questions/Rumor Control:** None at this time

**Old Business:** Nothing to report

**New Business:** Nothing to report

**Action Item Review:**

- Following adjournment the Board reviewed the open action items, updated status as appropriate, and added the actions that were identified from today's meeting.

**Beachcomber:**

- The next Beachcomber will be the January/February issue. Inputs are required electronically no later than 5:00 PM on Wed. January 13, 2010. The Beachcomber Editor is [beachcomber@herronisland.org](mailto:beachcomber@herronisland.org).

**Adjournment:** Kathy Deuster made a motion to adjourn the meeting. Motion carried.

Respectfully submitted,

Janet Podell, Secretary