

MINUTES
Meeting of the
Blue Ribbon Farms Homeowners' Association
Board of Directors
April 15, 2024 at 1pm at the Nichols' Home 202 Lands' End

1. Roll Call Chair Mark Long called the meeting to order at 1:15pm. In addition to Mr. Long, also present were Vice-Chair Drew Zacharias, Treasurer Carmen Lynaugh, Andre' Baritelle and Secretary Natasha Merkuloff Nichols. Also in attendance was Rick Smith, a former Board member. Paul Allsing and Jenn Gibbings were noted absent.
2. Mr. Smith was invited to speak. In relation to the issue of hiring an attorney, Mr. Smith told the Board that attorney Judy Endejan has been invaluable to the Water Consumers Advocates Olympic Peninsula (WCAOP) group, which is challenging the recently requested rate increase by Cascadia Water. This is the second time the group is challenging a rate increase and the second time Ms. Endejan is assisting. He told the Board she is available, responsive and knowledgeable. In response to questions from some Board about the progress of the WCAOP in challenging the rate increase Mr. Smith briefly provided some information. Mr. Zacharias briefly told Mr. Smith that he had contacted the Rural Water Association about the issue.
3. Mr. Long reminded the Board members that initially, the plan was to interview three new attorneys. However, just recently, he and Mr. Zacharias learned that Ms. Endejan is available to continue to work with BRF. She has worked with the Board on the Mason matter and had previously announced her intention to retire. But in a recent conversation, she informed Board members she plans to continue working with selective clients for another five years, and would be happy to continue with BRF. In her recent discussions with Mr. Zacharias and Mr. Long, she indicated she is very familiar with SB7569 – the new legislation that will require HOAs as well as other common interest groups to comply with a new set of regulations. She said she has worked on CCRs for other HOAs, so has experience with that. Mr. Long pointed out we know she answers her own phone and responds quickly, and that she is the person actually doing the work. He reminded the Board we are a very small entity and other large law firms won't devote the time or attention to a group as small as we are. She has been good to work with, is a good litigation and has been responsive. Before learning of Mr. Endejan's availability, Mr. Zacharias contacted a number of attorney firms in an effort to identify some who will talk to this Board. Most of the time, he finds that many are not interested in talking to us. He has identified Peter Eglick as one attorney who will talk to us. Patrick Irwin was a local attorney with whom Mr. Zacharias spoke, and while he would have been good to speak with, he told Mr. Zacharias he would not be able to help. He mentioned some other firms who don't fit our needs. He did speak to an assistant at the office of John Wiegenstein and Mr. Wiegenstein may be a possibility. Ms. Lynaugh had a list of firms and

some of them had been contacted by Mr. Zacharias; however there were a couple to whom he will reach out. Mr. Baritelle stated that an HOA in which he holds property is getting frequent updates on matters that pertain to SB 5769. That HOA, Surfside, has about 2300 lots of which about 70% are developed. There was some discussion about SB5769, which is legislation which will require all HOAs, POAs and Condo Associations to use RCW 64.90 that is being amended based on SB5769. It is unclear what new requirements would face BRF and the GovDoc committee. Mr. Baritelle focused back on the attorney hiring issue: he said BRF is currently a divided community and the Board needs to be 67% of the total number of lots to approve the new Govdocs. He felt the problem was with Ms. Endejan. Some people felt she moved the Mason matter along too quickly to trial. He believes there is a good deal of animosity because of the Mason matter and those people would vote against the updated GovDocs out of spite. Therefore, Mr. Baritelle said he's in favor of talking to a couple of other attorneys so we are doing a best practice in hiring an attorney. There was discussion about the history of the Michael Mason matter, with Mr. Zacharias and Mr. Long explaining how the previous Board had tried to compromise with Mr. Mason and why it didn't work. The discussion circled back to hiring an attorney. Mr. Zacharias reiterated that it has been hard to get someone to agree to talk to the Board. Many people likely don't realize how hard the previous Board tried to work with Mr. Mason. Ms. Lynaugh felt an attorney for the long term was needed so that once the GovDocs were revised, the same attorney would be around to help with enforcement and implementation of RCW 64.90. Other members stated that attorneys are used to coming in and working with what has already been developed. Board members variously pointed out we'll need an attorney to help us with RCW 64.90 provision which may change our current procedures for auditing, current rental situations, tax processes and so forth. There was general agreement that we also needed someone who can litigate and someone who can assist with current issues facing the Board.

4. After a good deal more discussion it was agreed that Mr. Zacharias will identify three final candidates: two and Ms. Endejan. Ms. Lynaugh will update the questions for the attorneys and revise the scoring sheet. Mr. Zacharias will arrange meetings with the three candidates, striving to have the meetings all the same day. Board members who are able to meet will do so to hear the discussions with the attorneys. It was acknowledged that all Board members may not be able to make each meeting. Once this is accomplished, the matter will be agendaized at a forthcoming meeting.
5. The meeting adjourned at 2:05pm